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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI REGISTER

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February 1, 2011 February 15, 2011	March 1, 2011 March 15, 2011	March 31, 2011 March 31, 2011	April 30, 2011 April 30, 2011
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December 1, 2011 December 15, 2011	January 3, 2012 January 17, 2012	January 30, 2012 January 30, 2012	February 29, 2012 February 29, 2012

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

Missouri Participating Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Documents Law (section 181.100, RSMo Supp. 2010), are available in the listed participating libraries, as selected by the Missouri State Library:

Jefferson County Library PO Box 1486, 3021 High Ridge High Ridge, MO 63049-1486 (314) 677-8689	Learning Resources Center Mineral Area College PO Box 1000 Park Hills, MO 63601-1000 (573) 431-4593	Hearnes Learning Resources Ctr. Missouri Western State University 4525 Downs Drive St. Joseph, MO 64507-2294 (816) 271-5802	Library Missouri University of Science and Technology 1870 Miner Circle Rolla, MO 65409-0060 (573) 341-4007
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Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084	James C. Kirkpatrick Library University of Central Missouri 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149	Elmer Ellis Library University of Missouri-Columbia 106 B Ellis Library Columbia, MO 65211-5149 (573) 882-0748	Garnett Library Missouri State University—West Plains 304 Cleveland West Plains, MO 65775-3414 (417) 255-7945
Washington University Law Library Washington University Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 14 West 10th Street Kansas City, MO 64105 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
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Pickler Memorial Library Truman State University 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	Smiley Memorial Library Central Methodist University 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6279	
	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2010.

EXECUTIVE ORDER 11-06

WHEREAS, I have been advised by the State Emergency Management Agency that the on-going and forecast severe storm systems have caused, or have the potential to cause, damages associated with flooding, flash flooding, high winds, hail, and tornadoes impacting communities throughout the state of Missouri; and

WHEREAS, interruptions of public services are occurring as a result of the severe weather event that started on April 22, 2011, and continues; and

WHEREAS, the severe weather that began on April 22, 2011, and continues, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local jurisdictions, and other established agencies; and

WHEREAS, the state will continue to be proactive where the health and safety of the citizens of Missouri are concerned; and

WHEREAS, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

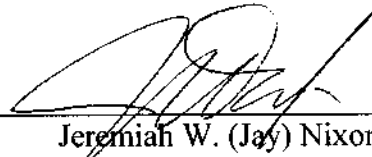
WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo, will be required to ensure the protection of the safety and welfare of the citizens of Missouri.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the state of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the state of Missouri. I do hereby direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide assistance, as needed.


This order shall terminate on May 23, 2011, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused to be affixed the
Great Seal of the State of Missouri in the
City of Jefferson on this 22nd day of April,
2011.


Jeremiah W. (Jay) Nixon
Governor

ATTEST:




Robin Carnahan
Secretary of State

**EXECUTIVE ORDER
11-07**

WHEREAS, the State Emergency Management Agency has advised me that severe weather has caused a natural disaster of significant proportions in Missouri; and

WHEREAS, the severe weather that began on April 22, 2011 and continues has created a condition of distress and hazards to the safety and welfare of the citizens of the state of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

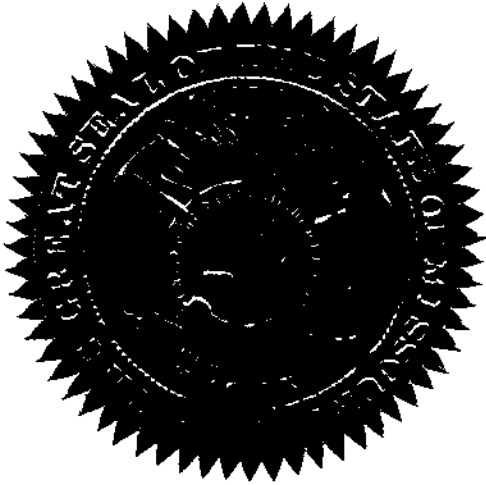
WHEREAS, the Missouri Department of Natural Resources is charged by law with protecting and enhancing the quality of Missouri's environment and with enforcing a variety of environmental rules and regulations; and

WHEREAS, in order to respond to the emergency and expedite the cleanup and recovery process, it is necessary to adjust certain environmental rules and regulations on a temporary and short-term basis.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by Chapter 44, RSMo, do hereby issue the following order:

The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under her purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period.

This order shall terminate on May 23, 2011, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 25th day of April, 2011.

A handwritten signature in black ink, appearing to read "Jeremiah W. (Jay) Nixon", written over a horizontal line.

Jeremiah W. (Jay) Nixon
Governor

ATTEST:

A handwritten signature in black ink, appearing to read "Robin Carnahan", written over a horizontal line.

Robin Carnahan
Secretary of State

EXECUTIVE ORDER

11-08

WHEREAS, I have been advised by the State Emergency Management Agency that the on-going and forecast severe storm systems have caused, or have the potential to cause, damages associated with flooding, flash flooding, high winds, hail, and tornadoes impacting communities throughout the state of Missouri; and

WHEREAS, interruptions of public services are occurring, or anticipated to occur, as a result of the severe weather event that started on April 22, 2011, and continues; and

WHEREAS, the severe weather that began on April 22, 2011, and continues, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the State of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

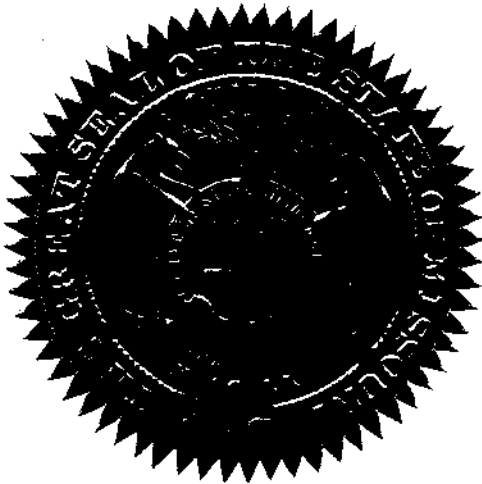
WHEREAS, the state will continue to be proactive where the health and safety of the citizens of Missouri are concerned; and

WHEREAS, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo, will be required to ensure the protection of the safety and welfare of the citizens of Missouri.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Section 41.480.2 RSMo, order and direct the Adjutant General of the State of Missouri, or his designee, to forthwith call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and it is further ordered and directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized and directed by the Governor of this state.

This order shall terminate on May 23, 2011, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 25th day of April, 2011.

A handwritten signature in black ink, appearing to read "Jeremiah W. (Jay) Nixon", written over a horizontal line.

Jeremiah W. (Jay) Nixon
Governor

ATTEST:

A handwritten signature in black ink, appearing to read "Robin Carnahan", written over a horizontal line.

Robin Carnahan
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted printed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 30—Division of Regulation and Licensure Chapter 1—Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.015 Registrations and Fees. The department is amending sections (1), (3), and (4) and the purpose statement.

PURPOSE: This amendment establishes new fees for various types of registrations and manner of payment, clarifies the exemption from registration fees for government employees, changes the registration period from three (3) years to one (1) year, and amends the original purpose statement.

PURPOSE: This rule establishes fees for various types of registration, a late registration fee, manner of payment, and exemption from

the registration fee[, and implements a conversion for registrations to last 36 months].

(1) For each registration or re-registration to—

(A) Manufacture controlled substances, the registrant shall pay a fee of *[two hundred] sixty-six* dollars *[((\$200)] (\$66)*;

(B) Distribute controlled substances, the registrant shall pay a fee of *[two hundred] sixty-six* dollars *[((\$200)] (\$66)*;

(C) Dispense controlled substances listed in Schedules II–V including dispensing of controlled substances by individual practitioners in training programs or to conduct research or instructional activities with those substances, the registrant shall pay a fee of *[ninety] thirty* dollars *[((\$90)] (\$30)*;

(D) Conduct research or instructional activities with a controlled substance listed in Schedule I, the registrant shall pay a fee of *[nine-ty] thirty* dollars *[((\$90)] (\$30)*;

(E) Conduct chemical analysis with controlled substances listed in any schedule, the registrant shall pay a fee of *[ninety] thirty* dollars *[((\$90)] (\$30)*;

(F) Import or export controlled substances listed in any schedule, the registrant shall pay a fee of *[two hundred] sixty-six* dollars *[((\$200);] (\$66)*.

[(G) Dispense controlled substances listed in Schedules II–V by an individual practitioner who has a temporary location registration, the registrant shall pay an annual fee of thirty dollars (\$30).]

(3) Time and Method of Payment and Refunds. Registration and re-registration fees shall be paid at the time when the application for registration or re-registration is submitted for filing. **This is a non-refundable processing fee.** Payment should be made in the form of a personal, certified, or cashier's check or money order made payable to Department of Health and Senior Services. *[This is a nonrefundable processing fee.]* Payments made in the form of stamps, foreign currency, or third-party endorsed checks will not be accepted. **Applications and fees submitted electronically online shall use a credit card and use the online payment system provided on the department's website.**

(4) Persons Exempt From Fee. The Department of Health and Senior Services shall exempt the following persons from payment of a fee for registration or re-registration:

(A) Any official or agency of the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Veterans Administration, or Public Health Service who is authorized to procure or purchase controlled substances for official use;

(B) Any official, employee or other civil officer, or agency of the United States or state or any political subdivision or agency who is authorized to purchase controlled substances, to obtain these substances from official stocks, to dispense or administer these substances, to conduct research, instructional activities, or chemical analysis with these substances, or any combination of them, in the course of his/her official duties or employment;

(E) Any registration that is exempt from payment pursuant to this section shall be valid only when authorized persons are conducting activities in the course of their official duties or employment./ **at their government practice location. If the person conducts controlled substance activities away from his or her government practice location, the person shall apply and submit the required fee for a non-exempt registration.**

AUTHORITY: sections 195.030 and 195.195, RSMo 2000. Original rule filed April 14, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 31, 2003, effective July 30, 2003. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will not cost state agencies

or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities eight hundred fifty-one thousand five hundred eighty-six dollars (\$851,586) annually in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Administrator, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 19—Department of Health and Senior Services
Division Title: Division 30—Division of Licensure and Regulation
Chapter Title: Chapter One—Controlled Substances

Rule Number and Title:	19 CSR 30-1.015 Registrations and Fees
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Classification by type of individuals or business entities which would likely be affected:	Estimate of the number of individuals or entities which would likely be affected by the adoption of the proposed rule:		Estimated annual cost of compliance with the amendment by affected individuals or entities:
Physicians, dentists, podiatrists, optometrists, veterinarians, advanced practice nurses, physicians' assistants, Researchers, pharmacies, hospitals, teaching institutions, ambulance services, ambulatory surgery centers, analytical labs, correctional facilities, hospices, narcotic treatment programs, and long term care facilities or other	28,230		\$846,900
Manufacturers, distributors, importers and exporters	71		\$4,686
TOTALS	28,301		\$851,586
25 Types of Registrations			

III. WORKSHEET

$$28,230 \times \$30 = \$846,900$$

$$71 \times \$66 = \$4,686$$

Total fees

$$\$846,900 + \$4,686 = \$851,586$$

IV. ASSUMPTIONS

1. Based upon the current number of registrants plus an estimate of the number of mid-level practitioners who will apply, the Department estimates thirty thousand, one hundred seventy-eight (30,178) individuals or entities will apply for an annual registration.
2. The Department anticipates twenty-eight thousand, two hundred thirty (28,230) physicians, dentists, podiatrists, optometrists, veterinarians, advanced practice nurses, physicians' assistants, researchers, pharmacies, hospitals, teaching institutions, ambulance services, ambulatory surgery centers, analytical labs, correctional facilities, hospices, narcotic treatment programs, and long term care facilities or other will apply and pay thirty dollars (\$30) annually for a registration. The department also anticipates that one thousand, eight hundred seventy-three individuals employed by state or federal governments or political subdivisions, state hospitals; state physicians, hospital districts and ambulance districts who are exempt from paying fees will also apply.
3. There are currently seventy-five (75) registrants that fall under the manufacturers, distributors, importers and exporters category. Four (4) of these registrants are exempt from fees because they are government entities. Seventy-one (71) will pay the annual fee.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.017 Registration Process. The department is adding new sections (1), (6), (7), and (8); renumbering throughout; and amending newly renumbered sections (2), (3), (4), and (5).

PURPOSE: This amendment establishes an electronic online application system, amends the period of registration and the method of payment, and revises the application for registration in order to collect information to assist the department in determining and addressing practitioner shortage and underserved regions of the state.

(1) Database and Survey Process.

(A) Applicants may apply for and receive a registration that is effective for up to twelve (12) months.

(B) Applicants may apply with either a paper application or through the department's electronic online system.

(C) Simultaneously with completing an application for a controlled substances registration, practitioners shall also complete an annual survey to assist the department in determining practitioner shortages and underserved regions of the state.

[[1]](2) Period of Registration.

(A) Any registration[, *except a re-registration,*] shall be current and effective for **[36] twelve (12)** months from the date issued or until the expiration date assigned at the time the registration is issued. *[A re-registration shall be current and effective for 36 months from the expiration date of the previous registration, provided that the application for re-registration was received prior to the expiration of the previous registration.]* No person who is required to be registered shall conduct any activity for which registration is required without a current registration. **No controlled substance activities shall take place after a registration expires until a new registration has been issued.**

(B) At the time any registration is issued, the registration shall be assigned to one of **twelve (12)** groups which shall correspond to the months of the year. The expiration date of all registrations within any group shall be the last day of the month designated for that group.

(C) Registrations for manufacturers and distributors may be assigned to a single group, and the expiration date may be less than **[36] twelve (12)** months from the date the registration was issued.

(D) *[Temporary location registrations and training]* Training program registrations may be assigned to a single group, and the expiration date may be less than **twelve (12)** months from the date the registration was issued.

(E) A certificate of registration shall be *[provided]* **made available online and printable** to the registrant which shall include the name and address of the registrant, the expiration date of the registration, and a registration number for the convenience of identifying a registration or a registrant. The same registration number may be used for a new registration for the same person.

[[2]](3) [Application for Registration] Requirements for All Applicants.

(A) Any person who is required to be registered and who is not so registered may apply for registration at any time. No person required to be registered shall engage in any activity for which registration is required until the application for registration is processed and the registration is issued. **All applications are for new registrations.**

(B) Applications for registration shall be **made** on forms designated by the Department of Health and Senior Services. Application forms may be requested from the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 or

may be completed online and submitted electronically via the Missouri Department of Health and Senior Services' website at www.health.mo.gov along with the required fee.

(C) *[An]* A written application in paper form *[containing]* shall contain the *[original]* signature of the applicant *[must]* and shall be provided to the Department of Health and Senior Services with any required fee. This is a nonrefundable processing fee.

(D) An application which does not contain or is not accompanied by the required information or fee may be denied sixty (60) days after notifying the applicant of the deficiency.

(E) An application may be withdrawn by making a written request to the Department of Health and Senior Services.

(F) A person who is registered may conduct activities with controlled substances in Schedules II, III, IV, and V, as authorized by statute, unless a registration is restricted as to schedules or activities because of a settlement agreement, probation, or other disciplinary action taken by the Department of Health and Senior Services, the Drug Enforcement Administration, or a professional licensing board. Authority to conduct activities with controlled substances in Schedule I requires a separate application and registration.

[[3]](4) All applicants shall make full, true, and complete answers on the application. The Department of Health and Senior Services may require an applicant to submit documents or written statements of fact relevant to the application as considered necessary to determine whether the application should be granted. The failure of the applicant to provide these documents or statements within sixty (60) days after being requested to do so shall be considered to be a waiver by the applicant of an opportunity to present these documents or facts for consideration in granting or denying the application.

[[4]](5) [Information Required on] Applications for **Individual Practitioner Registrations.** *[The information required on all applications]* Applications by physicians, veterinarians, optometrists, podiatrists, and researchers for *[a]* Missouri Controlled Substance Registrations shall include/s:

[[A] Type of Application. The applicant must identify whether the application is for a new registration, a name change, a change of address or a change of ownership;

[[B]](A) [Applicant Information.] The applicant's *[must provide his or her]* full legal name *[and practice location that is not a post office box,]* (first name, middle name, and last name), including any suffixes such as junior, senior, or III, gender, race, and ethnicity;

(B) The applicant's street address, city, zip code, county, and state of his or her primary, principle practice location, where he or she spends the most time. This will be the principle practice address that appears on the controlled substances registration. The applicant shall also provide any secondary practice addresses, if applicable. Post office box addresses shall not be accepted;

(C) *[Registration Type.* The applicant must identify whether] Whether the application is for *[a full three (3)-year registration or a one (1)-year locum tenens registration]* a physician, veterinarian, optometrist, podiatrist, or researcher;

(D) *[Type of Business Activity.* The applicant must identify whether the application is for a pharmacy, hospital, practitioner, nursing home kit, emergency medical service, narcotic treatment program, teaching institution, manufacturer, distributor, researcher, analytical lab, importer, exporter, registered nurse *(may not prescribe controlled substances)*, or other] His or her anticipated drug activities such as administering, prescribing, or dispensing;

(E) *[Appropriate Fee.* The applicant must identify whether the application is for a government entity that is fee exempt along with the title of the governing unit] The required fee and fee information. If claiming an exemption from a fee the applicant shall identify the name of the government agency that employs him or her;

(F) *[General Information. The applicant must provide his/* His or her business telephone number*]; Drug Enforcement Administration (DEA)], fax number, email address, federal controlled substances registration number, if applicable[;], professional degree, if applicable, and professional license number, if applicable. If the applicant has an application pending for a federal controlled substances registration number, the applicant shall indicate the application is pending;*

(G) *[The applicant must answer yes or no to whether]* Whether the applicant, or any officer of a corporate applicant, or individual employed by any applicant having access to controlled substances, has ever entered a plea of guilty, no contest, *nolo contendere*, or otherwise been convicted of any violation of any state or federal law related to the possession, manufacture, distribution, dispensing, or prescribing of controlled substances. If the answer is yes, the applicant *[must]* shall provide an explanation;

(H) If the applicant is an individual or a registrant that holds a professional license, *[the applicant must answer yes or no to]* whether *[they are]* he or she is currently licensed and registered to practice *[their]* his or her profession under the laws of this state;

(I) If the applicant is not an individual or registrant that holds a professional license, the applicant shall answer yes or no to whether *[they are]* the applicant is currently authorized to conduct business under the laws of this state;

(J) Previous Discipline. If the applicant currently holds or has previously held a state or federal controlled substance registration or state professional license or registration, the applicant *[must]* shall answer yes or no to whether *[their]* the applicant's license, registration or application, or renewal thereof has ever been surrendered, revoked, suspended, denied, restricted, or placed on probation and if any such action is pending. If the answer is yes, the applicant *[must]* shall provide an explanation;

(K) Whether the applicant has abused or been treated for or diagnosed with addiction regarding controlled substances during the past year;

(L) Copies and attachments of any guilty pleas, convictions, or disciplinary actions identified in subsections (G) and (J) of this section, if the department does not already have them on file;

[(K)](M) The original signature of the individual applicant, *[corporate officer or hospital administrator and the official title of the applicant if the applicant is other than an individual]* if the application is submitted on paper;

[(L)](N) *[If the applicant is an individual, the applicant must provide his/* His or her Social Security number and date of birth *(MM/DD/YYYY);*

[(M)](O) The date the application is signed;

[(N)] The county of business activity; and

[(O)](P) *[The applicant must indicate what]* What drug schedules *[they]* the applicant is requesting authority in*[/];*

(Q) Which languages the applicant speaks fluently;

(R) The applicant's primary specialty and any board certification;

(S) The applicant's secondary and tertiary specialties and certifications, if applicable;

(T) If the applicant is a physician, copies of any collaborative practice agreements and supervision agreements he or she may have that delegate controlled substance authority to mid-level practitioners and the mid-level practitioners' names and licensure information; and

(U) Information regarding the applicant's practice setting at the address(es) provided; obligations pending at those locations; whether services are provided at a reduced rate, using sliding fee scale; whether Medicaid is accepted; and whether new patients are being accepted at the time of the application. The number of hours worked per week for each location shall be provided for performing direct patient care (non-hospital), administration, research, teaching, in-patient hospital care, and other.

(6) Applications for Pharmacies and Businesses. Applications for retail pharmacies and ambulance services, ambulatory surgery centers, analytical laboratories, correctional centers, distributors, exporters, hospices, hospitals, importers, manufacturers, narcotic treatment programs, long-term care facility E-kits, teaching institutions, or other applicants not listed in sections (5)–(8), shall include:

(A) The applicant's full legal name, and if applicable, d/b/a name;

(B) The applicant's tax ID number, if applicable;

(C) The applicant's facility license number, if applicable, and federal controlled substances registration number. If the applicant has an application pending for a federal controlled substances registration number, the applicant shall indicate an application is pending;

(D) The applicant's email address;

(E) The applicant's principle Missouri business street address, city, state, county, and zip code as it will appear on the controlled substances registration certificate. Post office box numbers shall not be accepted. A separate mailing address may also be provided;

(F) The applicant's business telephone number and fax number;

(G) The applicant's type of business activity, licensure type, licensure agency, and license number;

(H) What controlled substance schedules the applicant is requesting authority in;

(I) The applicant's criminal history information as it pertains to controlled substance laws. The applicant shall answer yes or no as to whether the owner, CEO or administrator, corporate officer, medical director, pharmacist in charge, or any employee with access to controlled drugs has ever plead guilty, no contest, *nolo contendere*, or ever been convicted of any violation of state or federal law relating to controlled substances;

(J) Whether there are any previous or pending disciplinary actions regarding the applicant's professional license or any controlled substance registration, whether the applicant's privileges or authority have been revoked, surrendered, suspended, restricted, or placed on probation, or if any application for a state license or any drug registration has ever been denied;

(K) The application shall be submitted with the required fee and fee information. If claiming an exemption from a fee, the applicant must identify the name of the government agency;

(L) Copies and attachments of any guilty pleas, convictions, or disciplinary actions identified in subsections (I) and (J) of this section, if the department does not already have them on file;

(M) If the applicant is a retail business, the applicant shall provide a letter from the Missouri Department of Revenue that documents that no Missouri taxes are due and the applicant is in good standing; and

(N) The applicant shall sign and date an application submitted on paper and may use the electronic process if applying online. An application may be signed by the owner, chief executive officer or administrator, corporate officer, medical director, or pharmacist in charge.

(7) Applications for Dentists. Applications for dentists with the degrees of D.D.S. or D.M.D. shall include:

(A) The applicant's full legal name (first name, middle name, and last name), including any suffixes such as junior, senior, or III;

(B) The applicant's Social Security number and date of birth (MM/DD/YYYY);

(C) The applicant's federal controlled substances registration number. If the applicant has an application pending for a federal controlled substances registration number, the applicant shall indicate the application is pending;

(D) The applicant's gender, race, and ethnicity;

- (E) Which languages the applicant speaks fluently;
 - (F) The applicant's email address;
 - (G) The applicant's primary specialty and any board certification;
 - (H) Whether the applicant is licensed to practice and conduct activities and the applicant's licensure type, license number, and name of licensing agency;
 - (I) What drug schedules the applicant is requesting authority to conduct activities in;
 - (J) The applicant's anticipated drug activities such as administering, prescribing, or dispensing;
 - (K) The applicant's street address, city, zip code, county, and state of their primary, principle practice location, where they spend the most time. This will be the address that appears on the controlled substances registration. Post office box numbers shall not be accepted. Applicants shall also provide any secondary practice locations;
 - (L) The applicant's business phone number and fax number;
 - (M) Information regarding the applicant's practice setting at the addresses provided, obligations pending at those locations; whether services are provided at a reduced rate, using a sliding fee scale for individual with qualifying incomes; whether Medicaid is accepted; and whether new patients are being accepted at the time of the application. The number of chair-side work hours per week shall be provided, as well as how many hygienists and assistants are employed and their number of chair-side hours per week;
 - (N) The applicant's criminal history information as it pertains to controlled substance laws. The applicant shall answer yes or no as to whether the applicant or any employees with access to controlled drugs have ever plead guilty, no contest, *nolo contendere*, or ever been convicted of any violation of state or federal law relating to controlled substances;
 - (O) Information regarding any previous or pending disciplinary actions regarding the applicant's professional license or any controlled substance registration, as to whether the applicant's privileges or authority have been revoked, surrendered, suspended, restricted, or placed on probation, or if any application for a state license or any drug registration has ever been denied;
 - (P) Whether the applicant has abused or been treated for or diagnosed with addiction regarding controlled substances during the past year;
 - (Q) The application shall be submitted with the required fee and fee information. If claiming an exemption from a fee, the applicant shall identify the name of the government agency that employs him or her;
 - (R) The applicant shall provide copies and attachments of any guilty pleas, convictions, or disciplinary actions identified in subsections (N) and (O) of this section, if the department does not already have them on file; and
 - (S) The applicant shall sign and date an application submitted on paper and may use the electronic process if applying online.
- (8) Applications for Mid-Level Practitioners. Applications for mid-level practitioners as defined by 21 CFR 1300.01(b)(28) such as advanced practice nurses and physicians' assistants shall include:
- (A) The applicant's full legal name (first name, middle name, and last name), including any suffixes such as junior, senior, or III;
 - (B) The applicant's Social Security number and date of birth (MM/DD/YYYY);
 - (C) The applicant's federal controlled substances registration number. If the applicant has an application pending for a federal controlled substances registration number, the applicant shall indicate the application is pending;
 - (D) The applicant's gender, race, and ethnicity;
 - (E) Which languages the applicant speaks fluently;

- (F) The applicant's email address;
- (G) The applicant's primary specialty and any board certification;
- (H) Whether the applicant is licensed to practice and conduct activities and the applicant's licensure type, license number, and name of licensing agency;
- (I) What controlled substance schedules (III, IV, or V) the applicant is requesting to conduct activities in;
- (J) Which physicians the applicant has collaborative or supervision agreements with;
- (K) A copy of the applicant's collaborative or supervision agreements with physicians, and a list of controlled substances from each physician that the mid-level practitioner is authorized to conduct activities with, in that agreement;
- (L) The applicant's street address, city, zip code, county, and state of the applicant's primary, principle practice location. This will be the principle address that appears on the controlled substances registration. Post office box numbers shall not be accepted. Applicants shall also provide any secondary practice location addresses;
- (M) The applicant's business phone number and fax number;
- (N) Information regarding the applicant's practice setting at the addresses provided, obligations pending at those locations; whether services are provided at a reduced rate, using a sliding fee scale for individual with qualifying incomes; whether Medicaid is accepted; and whether new patients are being accepted at the time of the application. The number of hours worked per week for each location shall be provided for performing direct patient care (non-hospital), administration, research, teaching, in-patient hospital care, and other;
- (O) The applicant's criminal history information as it pertains to controlled substance laws. The applicant shall answer yes or no as to whether the applicant or any employee with access to controlled drugs has ever plead guilty, no contest, *nolo contendere*, or ever been convicted of any violation of state or federal law relating to controlled substances;
- (P) Information regarding any previous or pending disciplinary actions regarding the applicant's professional license or any controlled substance registration, as to whether the applicant's privileges or authority have been revoked, surrendered, suspended, restricted, or placed on probation, or if any application for a state license or any drug registration has ever been denied;
- (Q) Whether the applicant has abused or been treated for or diagnosed with addiction regarding controlled substances during the past year;
- (R) The application shall be submitted with the required fee and fee information. If claiming an exemption from a fee, the applicant shall identify the name of the government agency that employs the applicant;
- (S) The applicant shall provide copies and attachments of any guilty pleas, convictions, or disciplinary actions identified in subsections (O) and (P) of this section, if the department does not already have them on file; and
- (T) The applicant shall sign and date an application submitted on paper and may use the electronic process if applying online.

AUTHORITY: section 195.195, RSMo 2000. Original rule filed April 14, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 31, 2003, effective July 30, 2003. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions thirty-two thousand four hundred twenty-seven dollars (\$32,427) annually in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities five hundred sixty thousand two hundred eighty-seven dollars (\$560,287) annually in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Administrator, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 19—Department of Health and Senior Services
Division Title: Division 30—Division of Licensure and Regulation
Chapter Title: Chapter One—Controlled Substances

Rule Number and Title:	19 CSR 30-1.017 Registration Process
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agencies or Political Subdivisions or Employees Thereof	Number of Registrants		Estimated cost of compliance in the aggregate
Physicians, veterinarians, podiatrists, optometrists, dentists and pharmacies	1,344		\$27,108
Mid-level practitioners applying, advanced practice nurses, physicians' assistants, LTCFs and researchers	235		\$2,644
Hospitals, ambulatory surgery centers, hospices, importers, exporters, manufacturers and distributors	41		\$461
All other such as ambulance services, narcotic treatment programs, analytical labs, correctional facilities, and teaching institutions	253		\$2,214
Estimated totals in the aggregate	1,873		\$32,427

III. WORKSHEET

Physicians, veterinarians, podiatrists, optometrists, dentists and pharmacies
 $1,344 \times ((\$161,316 \div 2080) \div 60) \times 15 = \$27,108$

Mid-level practitioners applying, advanced practice nurses, physicians' assistants, LTCFs and researchers
 $235 \times ((\$90,000 \div 2080) \div 60) \times 15 = \$2,644$

Hospitals, ambulatory surgery centers, hospices, importers, exporters, manufacturers and distributors
 $41 \times ((\$90,000 \div 2080) \div 60) \times 15 = \461

All other such as ambulance services, narcotic treatment programs, analytical labs, correctional facilities, and teaching institutions
 $253 \times ((\$70,000 \div 2080) \div 60) \times 15 = \$2,214$

Total estimated cost of completing the registration application annually in the aggregate for affected agencies or political subdivisions or employees thereof

\$27,108 + \$2,644 + \$461 + \$2,214 = \$32,427

IV. ASSUMPTIONS

1. Government employees and entities will have to submit applications on an annual basis. The Department estimates it will take approximately fifteen (15) minutes to complete the application. There is no registration fee for government entities or employees, therefore costs are based on the amount of time estimated for completing the application the form.
2. The Department estimates there will be 1,344 physicians, veterinarians, podiatrists, optometrists, dentists and pharmacies applying annually for registrations who are employed by state or federal agencies or political subdivisions based upon the current number of registrants. The average physician/doctor/pharmacist in Missouri earns \$161,316 annually based upon salary information from www.payscale.com/research/US. That amount was divided by 2000 hours per year and then divided by 60 minutes to determine the cost per minute. The estimated \$80.66 per hour was then multiplied by 15 minutes to equal \$20.17.
3. The department estimates there will be 235 mid-level practitioners (advanced practice nurses, physicians' assistants, LTCFs and researchers) applying annually who are employed by state or federal agencies or political subdivisions based upon the current number of registrants. Average mid-level practitioners in various certifications, LTCF administrators with nursing backgrounds and PhD researchers earn \$90,000 based upon salary information from www.payscale.com/research/US. That amount was divided by 2000 hours per year and then divided by 60 minutes to determine the cost per minute. The estimated \$45 per hour was then multiplied by 15 minutes to equal \$11.25.
4. The department estimates there will be 41 hospital administrators, ambulatory surgery center administrators, hospice directors (with nursing backgrounds), and staff for importers, exporters, and manufacturers who will be submitting applications annually on behalf of entities owned or operated by state or federal agencies or political subdivisions based upon the current number of registrants. Average salary for various hospital administrators, ambulatory surgery center administrators, hospice directors (with nursing backgrounds) and staff of importers, exporters, and manufacturers who will be submitting applications is \$90,000 based upon salary information from www.payscale.com/research/US. That amount was divided by 2000 hours per year and then divided by 60 minutes to determine the cost per minute. The estimated \$45 per hour was then multiplied by 15 minutes to equal \$11.25.
5. The department estimates there will be 253 emergency medical services directors, employees in narcotic treatment programs, analytical lab employees, administrators in correctional facilities and professors in teaching institutions who will be submitting applications annually on behalf of entities owned or operated by state or federal agencies or political subdivisions based upon the current number of registrants. Average salary for emergency medical services directors, employees in narcotic treatment programs, analytical lab employees, administrators in correctional facilities and professors in teaching institutions who will be submitting applications is \$70,000 based upon salary information from www.payscale.com/research/US. That amount was divided by 2000 hours per year and then divided by 60 minutes to determine the cost per minute. The estimated \$35 per hour was then multiplied by 15 minutes to equal \$8.75.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 19—Department of Health and Senior Services
Division Title: Division 30—Division of Licensure and Regulation
Chapter Title: Chapter One—Controlled Substances

Rule Number and Title:	19 CSR 30-1.017 Registration Process
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Classification by type of individuals or business entities which would likely be affected:	Estimate of the number of individuals or entities which would likely be affected by the adoption of the proposed amendment:		Estimated annual cost of compliance with the amendment by affected individuals or entities:
Physicians, veterinarians, podiatrists, optometrists, dentists and pharmacies	25,228		\$508,848
Mid-level practitioners applying, advanced practice nurses, physicians' assistants, LTCFs and researchers	2,889		\$32,501
Hospitals, ambulatory surgery centers, hospices, importers, exporters, manufacturers and distributors	362		\$4,072
All other such as ambulance services, narcotic treatment programs, analytical labs, correctional facilities, and teaching institutions	1,699		\$14,866
Totals	30,178		\$560,287 Annually in the aggregate

III. WORKSHEET

Physicians, veterinarians, podiatrists, optometrists, dentists and pharmacies
 $25,228 \times ((\$161,316 + 2080) \div 60) \times 15 = \$508,848$

Mid-level practitioners applying, advanced practice nurses, physicians' assistants, LTCFs and researchers
 $2,889 \times ((\$90,000 \div 2080) \div 60) \times 15 = \$32,501$

Hospitals, ambulatory surgery centers, hospices, importers, exporters, manufacturers and distributors
 $362 \times ((\$90,000 \div 2080) \div 60) \times 15 = \$4,072$

All other such as ambulance services, narcotic treatment programs, analytical labs, correctional facilities, and teaching institutions
 $1,69 \times ((\$70,000 \div 2080) \div 60) \times 15 = \$14,866$

Total estimated cost of completing the registration application annually in the aggregate for affected agencies or political subdivisions or employees thereof

$\$508,848 + \$32,501 + \$4,072 + \$14,866 = \$560,287$

IV. ASSUMPTIONS

1. Individuals and entities will have to submit applications on an annual basis. The Department estimates it will take approximately fifteen (15) minutes to complete the application.
2. The Department estimates there will be twenty-five thousand, two hundred twenty-eight (25,228) physicians, veterinarians, podiatrists, optometrists, dentists and pharmacies applying annually for registrations. The average physician/doctor/pharmacist in Missouri earns one hundred sixty-one thousand, three hundred sixteen dollars (\$161,316) annually based upon salary information from www.payscale.com/research/US. That amount was divided by two thousand and eighty (2000) hours per year and then divided by sixty (60) minutes to determine the cost per minute. The estimated eighty dollars and sixty-six cents (\$80.66) per hour was then multiplied by fifteen (15) minutes to equal twenty dollars and seventeen cents (\$20.17).
3. The department estimates there will be two thousand, eight hundred eighty-nine (2,889) mid-level practitioners (advanced practice nurses, physicians' assistants, LTCFs and researchers) applying annually. Average mid-level practitioners in various certifications, LTCF administrators with nursing backgrounds and PhD researchers earn ninety thousand dollars (\$90,000) based upon salary information from www.payscale.com/research/US. That amount was divided by two thousand and eighty (2000) hours per year and then divided by sixty (60) minutes to determine the cost per minute. The estimated forty-five dollars (\$45) per hour was then multiplied by fifteen (15) minutes to equal eleven dollars and twenty-five cents (\$11.25).
4. The department estimates there will be three hundred sixty-two (362) hospital administrators, ambulatory surgery center administrators, hospice directors (with nursing backgrounds), and staff for importers, exporters, and manufacturers who will be submitting applications annually. Average salary for various hospital administrators, ambulatory surgery center administrators, hospice directors (with nursing backgrounds) and staff of importers, exporters, and manufacturers who will be submitting applications is ninety thousand dollars (\$90,000) based upon salary information from www.payscale.com/research/US. That amount was divided by two thousand and eighty (2080) hours per year and then divided by sixty (60) minutes to determine the cost per minute. The estimated forty-five dollars (\$45) per hour was then multiplied by fifteen (15) minutes to equal eleven dollars and twenty-five cents (\$11.25).
5. The department estimates there will be one thousand, six hundred ninety-nine (1,699) emergency medical services directors, employees in narcotic treatment programs, analytical lab employees, administrators in correctional facilities and professors in teaching institutions who will be submitting applications annually. Average salary for emergency medical services directors, employees in narcotic treatment programs, analytical lab employees, administrators in correctional facilities and professors in teaching institutions who will be submitting applications is seventy thousand dollars (\$70,000) based upon salary information from www.payscale.com/research/US. That amount was divided by two thousand and eighty (2000) hours per year and then divided by sixty (60) minutes to determine the cost per minute. The estimated thirty-five (\$35) per hour was then multiplied by fifteen (15) minutes to equal eight dollars and seventy-five cents (\$8.75).

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.019 Registration Location. The department is amending section (2).

PURPOSE: This amendment eliminates locum tenen registrations in order to be consistent with the federal law for controlled substance registrations.

(2) A controlled substance registration shall be issued to an individual practitioner at a Missouri practice location where controlled substance and other patient care activities occur[, except:].

[(A) When an individual practitioner has a temporary location registration, the registration shall be issued to the address where the practitioner's professional license to practice in Missouri is issued. A practitioner with a temporary location registration shall:

1. Have a current Missouri professional license to practice and be registered with the Department of Health and Senior Services at the address listed on his/her professional license;

2. Have a federal Drug Enforcement Administration registration that is valid in Missouri;

3. Anticipate practicing in Missouri within the next twelve (12) months;

4. Not practice for more than ninety (90) consecutive calendar days at any location;

5. Maintain a record of the date(s) and location(s) of all practice activity in Missouri and make the record available to the Bureau of Narcotics and Dangerous Drugs. This record shall be retained for two (2) years;

6. Maintain all required controlled substance records at each location;

7. Not receive or stock controlled substances at any location.]

AUTHORITY: section 195.195, RSMo 2000. Original rule filed April 14, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 31, 2003, effective July 30, 2003. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Administrator, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.023 Registration Changes. The department is amending sections (1) and (2).

PURPOSE: This amendment modifies the procedures for amending an existing registration and the conditions under which a registration automatically terminates.

(1) Modification of Registration.

(A) Any registrant may apply to modify his/her registration to authorize the handling of controlled substances in additional schedules by *[filing an application in the same manner as an application for new registration]* **submitting a request in writing to the department.** No fee shall be required to be paid for the modification. The application for modification shall be handled in the same manner as an application for registration.

(B) Any registrant may request to modify his or her name or address as shown on the registration provided that such a modification does not constitute a change of ownership or location. The request shall be made in writing, and no fee shall be required to be paid for the modification. **The request for changes may be submitted electronically using the department's online database system. Requests submitted in paper form shall contain the registrant's signature.**

(C) When the registrant's name or address as shown on the registration changes, the registrant shall notify the Department of Health and Senior Services in writing, including the registrant's signature, prior to or within **thirty (30) days** subsequent to the effective date of the change. No fee shall be required to be paid for the modification.

(2) Termination of Registration.

(A) The registration of any person shall terminate[:/—

1. On the expiration date assigned to the registration at the time the registration was issued;

2. If and when the person dies;

3. If and when the person ceases legal existence;

4. If and when a business changes ownership, except[:/—

A. The registration shall not terminate for thirty (30) days from the effective date of the change if the new owner applies for a registration within the thirty (30)-day period and the corresponding Drug Enforcement Administration registration remains effective as provided for by the Drug Enforcement Administration;

5. If and when the person discontinues business or changes business location, except[:/—

A. The registration shall not terminate for thirty (30) days from the effective date of the change if the person applies for a new registration or modification within the thirty (30)-day period; or

[(B) The registration shall not terminate if it is a temporary location registration;]

6. Upon the written request of the registrant.

(B) A mid-level practitioner's registration shall be contingent upon the collaborating supervising physician's registration. When a collaborating supervising physician's registration expires, closes, or is no longer valid, any mid-level practitioner(s) he or she supervises no longer have controlled substance authority. The mid-level practitioner(s) shall cease controlled drug activities until the collaborating supervising physician has obtained a new registration, or the mid-level practitioner(s) obtain(s) another agreement with another physician. Mid-level practitioners and collaborating supervising physicians shall notify the Department of Health and Senior Services of the termination of any collaborative practice agreement.

[(B)](C) Any registrant who ceases legal existence or discontinues business or professional practice shall notify the Department of Health and Senior Services of the effective date of this action and promptly return his/her registration certificate to the Department of Health and Senior Services.

AUTHORITY: section 195.195, RSMo 2000. Original rule filed April

14, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 31, 2003, effective July 30, 2003. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Administrator, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.066 Dispensing by Individual Practitioners. The department is amending section (2).

PURPOSE: This amendment clarifies that mid-level practitioners may prescribe controlled substances but not independently stock, purchase, administer, and dispense controlled substances and eliminates the requirement for registered nurses to obtain registrations to dispense from a physician's stock.

(2) **Mid-level practitioners shall not independently purchase, stock, administer, and dispense controlled substances.** Controlled substances may be administered or dispensed from an individual practitioner's inventory by [an authorized employee or agent] a mid-level practitioner with whom he or she has entered into a collaborative practice agreement when the practitioner is not present at the registered location [when—].

[(A) The administration or dispensing is authorized by the individual practitioner under a written agreement pursuant to an arrangement established and implemented in accordance with Missouri statutes;

(B) The person who administers or dispenses the controlled substance is authorized by statute to administer or dispense controlled substances;

(C) The person who administers or dispenses the controlled substance is registered with the Department of Health to administer or dispense controlled substances;

(D) The person who administers or dispenses the controlled substance does so in compliance with all provisions of Chapter 195, RSMo and subsections (1)(B), (C) and (D) of this rule.]

AUTHORITY: section 195.195, RSMo [1994] 2000. Original rule filed April 14, 2000, effective Nov. 30, 2000. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed amendment with Michael Boeger, Administrator, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

PROPOSED RULE

19 CSR 30-20.097 Safe Patient Handling and Movement in Hospitals

PURPOSE: This rule specifies the requirements for safe patient handling and movement practices in a hospital.

(1) There shall be an active multidisciplinary committee responsible for implementing and monitoring the safe patient handling and movement program. At least one-half (1/2) of the members of the committee shall be frontline non-managerial employees who are involved in patient care handling activities.

(2) This program shall include:

(A) A safe patient handling policy for all shifts that will achieve elimination of manual lifting, transferring, and repositioning of all or most of a patient's weight, except in emergency, life-threatening, or otherwise exceptional circumstances;

(B) A patient-handling hazard assessment that considers such variables as patient-handling tasks, types of nursing units, patient populations, and the physical environment of patient care areas;

(C) A process which assesses patient's needs for safe patient handling and movement;

(D) Educational materials for patients and their families to help orient them to the hospital's safe patient handling program;

(E) An annual evaluation of the program utilizing measurable outcome measures including but not limited to employee and patient injuries, lost work days, and workers' compensation claims; and

(F) Evidence of changes based on the program evaluation.

(3) All employees involved in patient care handling activities are to be trained and demonstrate competence on safe patient handling policies, equipment, and devices before implementation, annually, and as changes are made to the program.

AUTHORITY: section 197.080, RSMo 2000. Original rule filed April 29, 2011.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions forty-eight thousand four hundred fifty-seven dollars (\$48,457) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities four hundred twenty-one thousand eight hundred fifty-nine dollars (\$421,859) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Dean Linneman, Administrator, Department of Health and Senior Services, Section of Health Standards and Licensure, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 19—Department of Health and Senior Services
Division Title: Division 30—Division of Licensure and Regulation
Chapter Title: Chapter Twenty—Hospitals

Rule Number and Title:	19 CSR 30-20.097 Safe Patient Handling and Movement
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
17	Licensed Public Hospitals	\$48,457

III. WORKSHEET

Total staff time for this multidisciplinary committee is calculated at one hundred (100) hours per year (5 staff X 20 hrs each).

Charge RN - $\$34.31 \times 20 = \$686.20 \times 2 = \$1,372.40$

Staff RN - $\$31.51 \times 20 = \630.20

Licensed Practical Nurse - $\$19.85 \times 20 = \397

Physical Therapist - $\$22.54 \times 20 = \450.80

Total per hospital = \$2,850.40

Grand Total = $17 \times \$2,850.40 = \$48,456.80$ (rounded up to \$48,457)

IV. ASSUMPTIONS

This fiscal note is being prepared based on the following assumptions:

1. The multidisciplinary committee will consist of five (5) members with two (2) being management level registered nurses, one (1) being a staff registered nurse, one (1) being a licensed practical nurse and one (1) being a physical therapist.

2. The responsibilities of the multidisciplinary committee will require twenty (20) hours of staff time annually per member.
3. Average salaries for committee members were researched online at salary.com and found to be as listed below:
 - a. Charge registered nurse - \$71,361; \$34.31/hr
 - b. Staff registered nurse - \$65,541; \$31.51/hr
 - c. Licensed practical nurse - \$41,288; \$19.85/hr
 - d. Physical therapist - \$46,885; \$22.54/hr

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 19—Department of Health and Senior Services
Division Title: Division 30—Division of Licensure and Regulation
Chapter Title: Chapter Twenty—Hospitals

Rule Number and Title:	19 CSR 30-20.097 Safe Patient Handling and Movement
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
148	Licensed Private Hospitals	\$421,859

III. WORKSHEET

Total staff time for this multidisciplinary committee is calculated at one hundred (100) hours per year (5 staff X 20 hrs each).

Charge RN - $\$34.31 \times 20 = \$686.20 \times 2 = \$1,372.40$

Staff RN - $\$31.51 \times 20 = \630.20

Licensed Practical Nurse - $\$19.85 \times 20 = \397

Physical Therapist - $\$22.54 \times 20 = \450.80

Total per hospital = \$2,850.40

Grand Total = $148 \times \$2,850.40 = \$421,859.20$ (rounded down to \$421,859)

IV. ASSUMPTIONS

This fiscal note is being prepared based on the following assumptions:

1. The multidisciplinary committee will consist of five (5) members with two (2) being management level registered nurses, one (1) being a staff registered nurse, one (1) being a licensed practical nurse and one (1) being a physical therapist.
2. The responsibilities of the multidisciplinary committee will require twenty (20) hours of staff time annually per member.

3. Average salaries for committee members were researched online at salary.com and found to be as listed below:
 - a. Charge registered nurse - \$71,361; \$34.31/hr
 - b. Staff registered nurse - \$65,541; \$31.51/hr
 - c. Licensed practical nurse - \$41,288; \$19.85/hr
 - d. Physical therapist - \$46,885; \$22.54/hr

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day Care
Homes**

PROPOSED RULE

19 CSR 30-61.090 Disaster and Emergency Preparedness

PURPOSE: This rule requires family child care homes to prepare and respond to disasters and emergencies.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Disaster Emergency Plan.

(A) The facility shall develop, implement, and maintain policies and procedures for responding to a disaster emergency, including a written plan for:

1. Medical and non-medical emergencies and disaster situations that could pose a hazard to staff and children, such as a fire, tornado, flood, chemical spill, exposure to carbon monoxide, power failure, bomb threat, person coming to the facility whose health or behavior may be harmful to a child or staff member, or kidnapping;
2. Evacuation from the facility in the event of a disaster emergency that could cause damage to the facility or pose a hazard to the staff and children;
3. Lock-down procedures in a situation that may result in harm to persons inside the facility such as a shooting, hostage incident, intruder, trespassing, or disturbance or to be used at the discretion of the director, designee, or public safety personnel; and
4. Evacuation from a vehicle used to transport children.

(B) When developing disaster emergency plans, the facility shall consider—

1. The age and physical and mental abilities of the children;
2. The types of services offered, including whether the facility provides care for non-ambulatory children or overnight care;
3. The types of disasters likely to affect the area;
4. The requirements of the Division of Fire Safety and the Department of Health and Senior Services' *The ABC's of Emergency Preparedness Ready in 3 Program* (2006), which is incorporated by reference and is published by the Department of Health and Senior Services, Center for Emergency Response and Terrorism, PO Box 570, Jefferson City, MO 65102-0570, telephone number 573-526-4768, and is available at www.health.mo.gov, and advice from the Red Cross or other health and emergency professionals; and
5. The need for ongoing communication and data sharing with other types of agencies providing services to children and with state and local emergency management agencies.

(C) At a minimum, a disaster emergency plan shall identify the staff members responsible for implementing the plan and ensuring the safety of the children and shall include:

1. The location of the child's attendance record and emergency information and emergency supplies;
2. Diagrams that identify exit routes from each area of the facility used for child care to a safe location out of the facility and to a safe location within the facility where children and staff members can stay until the threat of danger passes;
3. A list of emergency contacts as set out in subsection (2)(B) below;
4. The disaster and emergency procedures to be followed, which include but are not limited to the following:

- A. Use of alarms to warn other building occupants and summon staff;
 - B. Emergency telephone call to the fire department;
 - C. Response to alarms;
 - D. Isolation of a fire, including confinement by closing doors to the fire area;
 - E. Evacuation of the immediate area;
 - F. Two (2) off-site locations identified as meeting places in case of evacuation;
 - G. Relocation as detailed in the disaster and emergency plan, including individuals with special needs, such as non-ambulatory children and children who sleep overnight, if applicable; and
 - H. System of contact for parents of children and notification of parents of the plan to assist in re-unification; and
5. Lock down procedures shall include:
- A. An announcement of the lock-down by the director or designee. The alert may be made using a pre-selected code word;
 - B. In a lock-down situation, staff shall keep children in their rooms or other designated location that are away from the danger; and
 - C. Staff is responsible for accounting for children and ensuring that no one leaves the room or safe area until "all clear" is announced.

(2) Access to Disaster Emergency Information. The licensee shall ensure that—

(A) At all times, a copy of the facility's disaster emergency plan is readily available in the office area and in each room used for care of children; and

(B) The following information is posted in each room used for child care and beside each telephone in the facility:

1. Contact information, including the following:
 - A. The name, address, and telephone number of the facility;
 - B. A list of emergency numbers, including 911, if available, the fire department, police department, ambulance service, poison control center, and local radio station;
 - C. When a facility operates at more than one (1) site, the name and telephone number of the facility's principal place of business; and
 - D. When a facility occupies space it does not own, the name and telephone number of the owner of the building or the building manager;
2. A diagram of evacuation routes from the room; and
3. Any special instructions for infants and non-ambulatory children.

(3) Disaster Emergency Response Drills for Staff and Children.

(A) The licensee shall ensure that the facility has on file documentation that, at least every three (3) months, all staff and children at the facility have participated in a disaster or emergency drill based on the facility's disaster and emergency plan.

(B) In addition to fire safety requirements found in 19 CSR 30-61.086, a review of the following disaster drill procedures with the staff and children shall be conducted:

1. Staff duties and responsibilities in the event of an emergency;
2. Disaster drill procedures such as fire drill, tornado drill, carbon monoxide exposure, power failure, bomb threat, chemical spill, intruder training, and CPR or other medical procedures;
3. The use of and response to fire alarms; and
4. The use of fire extinguishers.

AUTHORITY: section 210.221, RSMo 2000. Original rule filed April 29, 2011.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Health and Senior Services, Section for Child Care Regulation, Nancy McIsaac, Child Care Program Specialist, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via email at kathy.quick@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 61—Licensing Rules for Family Day
Care Homes**

PROPOSED AMENDMENT

19 CSR 30-61.125 Medical Examination Reports. The department is amending subsections (1)(E) and (H) and removing the forms that currently appear with the rule in the *Code of State Regulations*.

PURPOSE: This amendment clarifies the testing for tuberculosis and eliminates the requirement of yearly tuberculin skin tests.

(1) Day Care Provider and Assistants.

(E) *[Medical examination reports shall include a tuberculin skin test, a chest X ray or appropriate follow-up of a previous examination that indicates the individual is free of contagion.]* Medical examination reports shall include a “Risk Assessment for Tuberculosis” form, included herein, completed and signed by a health care professional, as provided by the Missouri Department of Health and Senior Services (MDHSS). If the person has signs or symptoms of tuberculosis, or risk factors for tuberculosis, then testing for tuberculosis shall occur.

1. If the person has no documented history of ever receiving a tuberculin skin test (TST), and elects to receive a TST, then a two (2)-step TST is required. A history of bacilli Calmette-Guerin vaccination (BCG) shall not exempt a person from receiving a tuberculin test.

2. Persons that have a newly positive tuberculin test(s) shall not be allowed to work until a medical evaluation is performed to determine if the person has active contagious tuberculosis.

3. Persons with active contagious tuberculosis shall be excluded from employment until deemed non-infectious by MDHSS or the local public health agency. The person may return to work once the above criteria have been met, as long as the person adheres to his/her prescribed treatment regimen.

4. All positive tuberculin tests shall be reported to the Missouri Department of Health and Senior Services or local public health agency as required by 19 CSR 20-20.020.

(H) *[After the initial medical examination, the child care provider and all assistants who are employed or volunteer more than five (5) hours per week, shall have an annual tuberculin skin test, a chest X ray or appropriate follow-up of a previous examination that indicates the individual is free of contagion.]* A child care employee, who is identified as a contact to an active tuberculosis case, shall be evaluated for tuberculosis to determine if the person has active contagious tuberculosis, or be excluded from work.



Missouri Department of Health and Senior Services
Bureau of Communicable Disease Control and Prevention
Tuberculosis (TB) Risk Assessment Form

Patient's Name: _____ Date of Birth: _____ Date: _____

A. Please answer the following questions:

Have you ever had a positive Mantoux tuberculin skin test (TST)? ☐ Yes ☐ No

Have you ever been vaccinated with BCG? ☐ Yes ☐ No

Have you ever had a positive Interferon Gamma Release Assay (IGRA) test? ☐ Yes ☐ No

B. TB Risk Assessment - Persons with any of the following are candidates for either Mantoux tuberculin skin test (TST) or Interferon Gamma Release Assay (IGRA), unless a previous positive test has been documented.

Have you ever had close contact with anyone who was sick with tuberculosis (TB)? ☐ Yes ☐ No

Have you ever traveled to/in one or more of the countries listed below? ☐ Yes ☐ No

(If yes, please CHECK the country/ies)

Were you born in one of the countries listed below and arrived in the U.S. within the past 5 years? (If yes, please CIRCLE the country) ☐ Yes ☐ No

Afghanistan	Chad	Guinea-Bissau	Mali	Peru	Tanzania-UR
Algeria	China	Guyana	Marshall Islands	Philippines	Thailand
Angola	Colombia	Haiti	Mauritania	Poland	Timor-Leste
Anguilla	Comoros	Honduras	Mauritius	Portugal	Togo
Argentina	Congo	India	Mexico	Qatar	Tokelau
Armenia	Congo DR	Indonesia	Micronesia	Romania	Tonga
Azerbaijan	Cote d'Ivoire	Iran	Moldova-Rep.	Russian Federation	Tunisia
Bahamas	Croatia	Iraq	Mongolia	Rwanda	Turkey
Bahrain	Djibouti	Japan	Montenegro	St. Vincent & The Grenadines	Turkmenistan
Bangladesh	Dominican Republic	Kazakhstan	Morocco	Sao Tome & Principe	Tuvalu
Belarus	Ecuador	Kenya	Mozambique	Saudi Arabia	Uganda
Belize	Egypt	Kiribati	Myanmar	Senegal	Ukraine
Benin	El Salvador	Korea-DPR	Namibia	Seychelles	Uruguay
Bhutan	Equatorial Guinea	Korea-Republic	Nauru	Sierra Leone	Uzbekistan
Bolivia	Eritrea	Kuwait	Nepal	Singapore	Vanuatu
Bosnia & Herzegovina	Estonia	Kyrgyzstan	New Caledonia	Solomon Islands	Venezuela
Botswana	Ethiopia	Lao PDR	Nicaragua	Somalia	Viet Nam
Brazil	Fiji	Latvia	Niger	South Africa	Wallis & Futuna Islands
Brunei Darussalam	French Polynesia	Lesotho	Nigeria	Spain	W. Bank & Gaza Strip
Bulgaria	Gabon	Liberia	Niue	Sri Lanka	Yemen
Burkina Faso	Gambia	Lithuania	N. Mariana Islands	Sudan	Zambia
Burundi	Georgia	Macedonia-TFYR	Pakistan	Suriname	Zimbabwe
Cambodia	Ghana	Madagascar	Palau	Syrian Arab Republic	
Cameroon	Guam	Malawi	Panama	Swaziland	
Cape Verde	Guatemala	Malaysia	Papua New Guinea	Tajikistan	
Central African Rep.	Guinea	Maldives	Paraguay		

Source: World Health Organization Global Tuberculosis Control, WHO Report 2006, Countries with Tuberculosis incidence rates of > 20 cases per 100,000 population. For future updates, refer to www.who.int/globalatlas/dataQuery/default.asp

Have you ever had an abnormal chest x-ray? ☐ Yes ☐ No

Do you have HIV or AIDS? ☐ Yes ☐ No

Are you an organ transplant recipient or donor? ☐ Yes ☐ No

Are you immunosuppressed (taking an equivalent of > 15 mg/day of prednisone for ≥1 month, or currently taking prescription arthritis medication)? ☐ Yes ☐ No

Are you a resident, employee, or volunteer in a high-risk congregate setting (e.g., correctional facilities, nursing homes, homeless shelters, hospitals, and other health care facilities)? ☐ Yes ☐ No

Do you have any medical conditions such as diabetes, silicosis, head, neck, or lung cancer, hematologic or reticuloendothelial disease such as Hodgkin's disease or leukemia, end stage renal disease, intestinal bypass or gastrectomy, chronic malabsorption syndrome, low body weight (i.e., 10% or more below ideal)? ☐ Yes ☐ No

Do you have you a cough lasting 3 weeks or longer, chest pain, weakness or fatigue, weight loss, chills, fever and/or night sweats? Are you coughing up blood or phlegm? ☐ Yes ☐ No



Missouri Department of Health and Senior Services
Bureau of Communicable Disease Control and Prevention
Tuberculosis (TB) Risk Assessment Form

Patient please skip to Section D for required signature below.

C. Medical Evaluation (to be completed by Health Care Professional – if required)

Health Care Provider: If the answer to any of the TB Risk Assessment questions is YES, proceed with additional evaluation as needed.

1. Tuberculin Skin Test (TST)

(TST result should be recorded as actual millimeters (mm) of induration, transverse diameter; if no induration, write "0". The TST interpretation should be based on mm of induration as well as risk factors.)**

Date Given: _____
Result: _____ mm of induration
Date Given: _____
Result: _____ mm of induration

Date Read: _____
**Interpretation: positive _____ negative _____
Date Read: _____
**Interpretation: positive _____ negative _____

****Interpretation Guidelines**

>5 mm is positive:

Recent close contacts of an individual with infectious TB
Persons with fibrotic changes on a prior chest x-ray consistent with past TB disease
Organ transplant recipients
Immunosuppressed persons: taking ≥ 15 mg/d of prednisone for ≥ 1 month; taking a TNF- α antagonist
Persons with HIV/AIDS

>15 mm is positive:

Persons with no known risk factors for TB disease

> 10 mm is positive:

Persons born in a high prevalence country or who resided in one for a significant* amount of time
History of illicit drug use
Mycobacteriology laboratory personnel
History of resident, worker or volunteer in high-risk congregate settings
Persons with the following clinical conditions: silicosis, diabetes mellitus, chronic renal failure, leukemias and lymphomas, head, neck or lung cancer, low body weight ($>10\%$ below ideal), gastrectomy or intestinal bypass, chronic malabsorption syndromes
Children < 4 years of age
Children and adolescents exposed to adults in high-risk categories

2. Interferon Gamma Release Assay (IGRA)

Date Obtained: _____ (specify method) QFT-G QFT-GIT _____ other _____
Result: Negative _____ Positive _____ Intermediate _____
Date Obtained: _____ (specify method) QFT-G _____ QFT-GIT _____ other _____
Result: Negative _____ Positive _____ Intermediate _____

3. Chest X-ray: (Required if TST or IGRA is positive)

Date of chest x-ray: _____ Result: normal _____ abnormal _____

Comments: _____

4. Sputum Collection: Please collect three (3) consecutive sputum, one early morning and all must be at least eight (8) hours apart with a minimum of 2 milliliters/2ml per tube. Collect in containers provided by the Missouri Department of Health and Senior Services State Public Health Laboratory. (Contact 573-751-3334 to order sputum containers.)

1. Date Obtained: _____ Result: _____ 2. Date Obtained: _____ Result: _____
2. Date Obtained: _____ Result: _____

If you have any questions regarding this form, please contact the Bureau of Communicable Disease Control and Prevention at (573) 751-6113.

D. Needed Signatures

Patient Signature (Required)

Date:

I hereby certify that this application contains no misrepresentation or falsification and that the information given by me is true and complete to the best of my knowledge and belief.

Health Care Professional(Required)

Date:

AUTHORITY: section 210.221[.1(3)], RSMo [Supp. 1993] 2000. This rule was previously filed as 13 CSR 40-61.110, 13 CSR 40-61.125, and 19 CSR 40-61.125. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health and Senior Services, Section for Child Care Regulation, Nancy McIsaac, Child Care Program Specialist, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at kathy.quick@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care
Homes and Child Care Centers**

PROPOSED RULE

19 CSR 30-62.090 Disaster and Emergency Preparedness

PURPOSE: This rule requires group homes and child care facilities to prepare and respond to disasters and emergencies.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Disaster and Emergency Plan.

(A) The facility shall develop, implement, and maintain policies and procedures for responding to a disaster emergency, including a written plan for:

1. Medical and non-medical emergencies and disaster situations that could pose a hazard to staff and children, such as a fire, tornado, flood, chemical spill, exposure to carbon monoxide, power failure, bomb threat, person coming to the facility whose health or behavior may be harmful to a child or staff member, or kidnapping or missing child;
2. Evacuation from the facility in the event of a disaster or an emergency that could cause damage to the facility or pose a hazard to the staff and children;
3. Lock-down procedures in situations that may result in harm to persons inside the facility such as a shooting, hostage incident, intruder, trespassing, or disturbance or to be used at the discretion of the director, designee, or public safety personnel; and
4. Evacuation from a vehicle used to transport children.

(B) When developing disaster and emergency plans, the facility shall consider—

1. The age and physical and mental abilities of the children;
2. The types of services offered, including whether the facility provides care for non-ambulatory children or overnight care;

3. The types of disasters or emergencies likely to affect the area;

4. The requirements of the Division of Fire Safety and the Department of Health and Senior Services' *The ABC's of Emergency Preparedness Ready in 3 Program* (2006), which is incorporated by reference and is published by the Department of Health and Senior Services, Center for Emergency Response and Terrorism, PO Box 570, Jefferson City, MO 65102-0570, telephone number 573-526-4768, and is available at www.health.mo.gov, and advice from the Red Cross or other health and emergency professionals; and

5. The need for ongoing communication and data sharing with other types of agencies providing services to children and with state and local disaster emergency management agencies.

(C) At a minimum, a disaster and emergency plan shall identify the staff members responsible for implementing the plan and ensuring the safety of the children and shall include:

1. The location of the child's attendance record and emergency information and emergency supplies;

2. Diagrams that identify exit routes from each area of the facility used for child care to a safe location out of the facility and to a safe location within the facility where children and staff members can stay until the threat of danger passes;

3. A list of emergency contacts as set out in subsection (2)(B) below;

4. The disaster drill and emergency procedures to be followed, which include but are not limited to the following:

A. Use of alarms to warn other building occupants and summon staff;

B. Emergency telephone call to the fire department;

C. Response to alarms;

D. Isolation of a fire, including confinement by closing doors to the fire area;

E. Evacuation of the immediate area;

F. Two (2) off-site locations identified as meeting places in case of evacuation;

G. Relocation of building occupants as detailed in the emergency plan, including individuals with special needs, such as non-ambulatory children and children who sleep overnight, if applicable; and

H. System of contact for parents of children and notification of parents of the plan to assist in re-unification; and

5. Lock-down procedures shall include:

A. An announcement of the lock-down by the director or designee. The alert may be made using a pre-selected code word;

B. In a lock-down situation, staff shall keep children in their rooms or other designated location that are away from the danger; and

C. Staff is responsible for accounting for children and ensuring that no one leaves the room or safe area until "all clear" is announced.

(2) Access to Emergency Information. The licensee shall ensure that—

(A) At all times, a copy of the facility's disaster and emergency plan is readily available in the office area and in each room used for care of children; and

(B) The following information is posted in each room used for child care and beside each telephone in the facility:

1. Contact information, including the following:

A. The name, address, and telephone number of the facility;

B. A list of emergency numbers, including 911, if available, the fire department, police department, ambulance service, poison control center, and local radio station;

C. When a facility operates at more than one (1) site, the name and telephone number of the facility's principal place of business; and

D. When a facility occupies space it does not own, the name and telephone number of the owner of the building or the building manager;

2. A diagram of evacuation routes from the room; and
3. Any special instructions for infants and non-ambulatory children;

(3) Disaster Emergency Response Drills for Staff and Children.

(A) The licensee shall ensure that the facility has on file documentation that, at least every three (3) months, all staff and children at the facility have participated in a disaster or emergency drill based on the facility's disaster and emergency plan.

(B) In addition to fire safety requirements found in 19 CSR 30-62.087, a review of the following disaster drill procedures with the staff and children shall be conducted:

1. Staff duties and responsibilities in the event of an emergency;
2. Disaster drill procedures such as fire drill, tornado drill, carbon monoxide exposure, power failure, bomb threat, chemical spill, intruder training, and CPR or other medical procedures;
3. The use of and response to fire alarms; and
4. The use of fire extinguishers.

AUTHORITY: section 210.221, RSMo 2000. Original rule filed April 29, 2011.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Health and Senior Services, Section for Child Care Regulation, Nancy McIsaac, Child Care Program Specialist, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via email at kathy.quick@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 62—Licensing Rules for Group Child Care
Homes and Child Care Centers**

PROPOSED AMENDMENT

19 CSR 30-62.122 Medical Examination Reports. The department is amending section (1) and subsection (2)(E).

PURPOSE: This amendment clarifies the testing methods for tuberculosis and eliminates the requirement of yearly tuberculin skin tests to reflect DHSS policy.

(1) Staff and Volunteers.

(A) All *[adults]* **persons** working in a day care facility in any capacity during child care hours, including volunteers counted in staff/child ratios, shall be in good physical and emotional health with no physical or mental conditions which would interfere with child care responsibilities. These persons shall have a medical examination report, signed by a licensed physician or registered nurse who is under the supervision of a licensed physician, on file at the facility at the time of initial licensure or within thirty (30) days following employment.

(B) *[Medical examination reports shall include a tuberculin skin test, a chest X ray or appropriate follow-up of a previous examination that indicates the individual is free of contagion.]* **Medical examination reports shall include a "Risk**

Assessment for Tuberculosis" form, included herein, completed and signed by a health care professional, as provided by the Missouri Department of Health and Senior Services (MDHSS). If the person has signs or symptoms of tuberculosis, or risk factors for tuberculosis, then testing for tuberculosis shall occur.

1. If the person has no documented history of ever receiving a tuberculin skin test (TST), and elects to receive a TST, then a two (2)-step TST is required. A history of bacilli Calmette-Guerin vaccination (BCG) shall not exempt a person from receiving a tuberculin test.

2. Persons that have a newly positive tuberculin test(s) shall not be allowed to work until a medical evaluation is performed to determine if the person has active contagious tuberculosis.

3. Persons with active contagious tuberculosis shall be excluded from employment until deemed non-infectious by MDHSS or the local public health agency. The person may return to work once the above criteria have been met, as long as the person adheres to his/her prescribed treatment regimen.

4. All positive tuberculin tests shall be reported to the Missouri Department of Health and Senior Services or local public health agency as required by 19 CSR 20-20.020.

(D) The medical examination report form shall be supplied by the department or the facility may use its own form if it contains all the information on the department's form *[(see 19 CSR 40-61.125)]*.

(E) *[After the initial medical examination, all adults working in a day care facility in any capacity during child care hours, including volunteers counted in staff/child ratios, shall have an annual tuberculin skin test, a chest X ray or appropriate follow-up of a previous examination that indicates the individual is free of contagion.]* **A child care employee, who is identified as a contact to an active tuberculosis case, shall be evaluated for tuberculosis to determine if the person has active contagious tuberculosis, or be excluded from work.**

(F) If at any time the department has reason to question the physical or emotional health of any *[adult]* **person** working or volunteering in the facility, the department shall require a physical or mental examination of these persons.

(2) Children.

(E) The medical examination report form and the health history report for school-age children shall be supplied by the department or the facility may use its own form if it contains all the information on the department's form *[(see 19 CSR 40-61.125)]*.



Missouri Department of Health and Senior Services
Bureau of Communicable Disease Control and Prevention
Tuberculosis (TB) Risk Assessment Form

Patient's Name: _____ Date of Birth: _____ Date: _____

A. Please answer the following questions:

Have you ever had a positive Mantoux tuberculin skin test (TST)? ☐ Yes ☐ No

Have you ever been vaccinated with BCG? ☐ Yes ☐ No

Have you ever had a positive Interferon Gamma Release Assay (IGRA) test? ☐ Yes ☐ No

B. TB Risk Assessment - Persons with any of the following are candidates for either Mantoux tuberculin skin test (TST) or Interferon Gamma Release Assay (IGRA), unless a previous positive test has been documented.

Have you ever had close contact with anyone who was sick with tuberculosis (TB)? ☐ Yes ☐ No

Have you ever traveled to/in one or more of the countries listed below?
(If yes, please CHECK the country/ies) ☐ Yes ☐ No

Were you born in one of the countries listed below and arrived in the U.S. within the
past 5 years? (If yes, please CIRCLE the country) ☐ Yes ☐ No

Afghanistan	Chad	Guinea-Bissau	Mali	Peru	Tanzania-UR
Algeria	China	Guyana	Marshall Islands	Philippines	Thailand
Angola	Colombia	Haiti	Mauritania	Poland	Timor-Leste
Anguilla	Comoros	Honduras	Mauritius	Portugal	Togo
Argentina	Congo	India	Mexico	Qatar	Tokelau
Armenia	Congo DR	Indonesia	Micronesia	Romania	Tonga
Azerbaijan	Cote d'Ivoire	Iran	Moldova-Rep.	Russian Federation	Tunisia
Bahamas	Croatia	Iraq	Mongolia	Rwanda	Turkey
Bahrain	Djibouti	Israel	Montenegro	St. Vincent &	Turkmenistan
Bangladesh	Dominican Republic	Kazakhstan	Morocco	The Grenadines	Tuvalu
Belarus	Ecuador	Kenya	Mozambique	Sao Tome & Principe	Uganda
Belize	Egypt	Kiribati	Myanmar	Saudi Arabia	Ukraine
Benin	El Salvador	Korea-DPR	Namibia	Senegal	Uruguay
Bhutan	Equatorial Guinea	Korea-Republic	Nauru	Seychelles	Uzbekistan
Bolivia	Eritrea	Kuwait	Nepal	Sierra Leone	Vanuatu
Bosnia & Herzegovina	Estonia	Kyrgyzstan	New Caledonia	Singapore	Venezuela
Botswana	Ethiopia	Lao PDR	Nicaragua	Solomon Islands	Viet Nam
Brazil	Fiji	Latvia	Niger	Somalia	Wallis & Futuna Islands
Brunei Darussalam	French Polynesia	Lesotho	Nigeria	South Africa	W. Bank & Gaza Strip
Bulgaria	Gabon	Liberia	Niue	Spain	Yemen
Burkina Faso	Gambia	Lithuania	N. Mariana Islands	Sri Lanka	Zambia
Burundi	Georgia	Macedonia-TFYR	Pakistan	Sudan	Zimbabwe
Cambodia	Ghana	Madagascar	Palau	Suriname	
Cameroon	Guam	Malawi	Panama	Syrian Arab Republic	
Cape Verde	Guatemala	Malaysia	Papua New Guinea	Swaziland	
Central African Rep.	Guinea	Maldives	Paraguay	Tajikistan	

Source: World Health Organization Global Tuberculosis Control, WHO Report 2006, Countries with Tuberculosis incidence rates of > 20 cases per 100,000 population. For future updates, refer to www.who.int/globalatlas/dataQuery/default.asp

Have you ever had an abnormal chest x-ray? ☐ Yes ☐ No

Do you have HIV or AIDS? ☐ Yes ☐ No

Are you an organ transplant recipient or donor? ☐ Yes ☐ No

Are you immunosuppressed (taking an equivalent of > 15 mg/day of prednisone for ≥1 month, or currently taking prescription arthritis medication)? ☐ Yes ☐ No

Are you a resident, employee, or volunteer in a high-risk congregate setting (e.g., correctional facilities, nursing homes, homeless shelters, hospitals, and other health care facilities)? ☐ Yes ☐ No

Do you have any medical conditions such as diabetes, silicosis, head, neck, or lung cancer, hematologic or reticuloendothelial disease such as Hodgkin's disease or leukemia, end stage renal disease, intestinal bypass or gastrectomy, chronic malabsorption syndrome, low body weight (i.e., 10% or more below ideal)? ☐ Yes ☐ No

Do you have you a cough lasting 3 weeks or longer, chest pain, weakness or fatigue, weight loss, chills, fever and/or night sweats? Are you coughing up blood or phlegm? ☐ Yes ☐ No



Missouri Department of Health and Senior Services
Bureau of Communicable Disease Control and Prevention
Tuberculosis (TB) Risk Assessment Form

Patient please skip to Section D for required signature below.

C. Medical Evaluation (to be completed by Health Care Professional – if required)

Health Care Provider: If the answer to any of the TB Risk Assessment questions is YES, proceed with additional evaluation as needed.

1. Tuberculin Skin Test (TST)

(TST result should be recorded as actual millimeters (mm) of induration, transverse diameter; if no induration, write "0". The TST interpretation should be based on mm of induration as well as risk factors.)**

Date Given: _____

Result: _____ mm of induration

Date Given: _____

Result: _____ mm of induration

Date Read: _____

**Interpretation: positive _____ negative _____

Date Read: _____

**Interpretation: positive _____ negative _____

****Interpretation Guidelines**

>5 mm is positive:

Recent close contacts of an individual with infectious TB
Persons with fibrotic changes on a prior chest x-ray consistent with past TB disease
Organ transplant recipients
Immunosuppressed persons: taking ≥ 15 mg/d of prednisone for ≥ 1 month; taking a TNF- α antagonist
Persons with HIV/AIDS

>15 mm is positive:

Persons with no known risk factors for TB disease

>10 mm is positive:

Persons born in a high prevalence country or who resided in one for a significant* amount of time
History of illicit drug use
Mycobacteriology laboratory personnel
History of resident, worker or volunteer in high-risk congregate settings
Persons with the following clinical conditions: silicosis, diabetes mellitus, chronic renal failure, leukemias and lymphomas, head, neck or lung cancer, low body weight ($>10\%$ below ideal), gastrectomy or intestinal bypass, chronic malabsorption syndromes
Children < 4 years of age
Children and adolescents exposed to adults in high-risk categories

2. Interferon Gamma Release Assay (IGRA)

Date Obtained: _____ (specify method)

Result: Negative _____ Positive _____ Intermediate _____

Date Obtained: _____ (specify method)

Result: Negative _____ Positive _____ Intermediate _____

QFT-G QFT-GIT _____ other _____

QFT-G _____ QFT-GIT _____ other _____

3. Chest X-ray: (Required if TST or IGRA is positive)

Date of chest x-ray: _____ Result: normal _____ abnormal _____

Comments: _____

4. Sputum Collection: Please collect three (3) consecutive sputum, one early morning and all must be at least eight (8) hours apart with a minimum of 2 milliliters/2ml per tube. Collect in containers provided by the Missouri Department of Health and Senior Services State Public Health Laboratory. (Contact 573-751-3334 to order sputum containers.)

1. Date Obtained: _____ Result: _____

2. Date Obtained: _____ Result: _____

2. Date Obtained: _____ Result: _____

If you have any questions regarding this form, please contact the Bureau of Communicable Disease Control and Prevention at (573) 751-6113.

D. Needed Signatures

Patient Signature (Required)

Date:

I hereby certify that this application contains no misrepresentation or falsification and that the information given by me is true and complete to the best of my knowledge and belief.

Health Care Professional(Required)

Date:

AUTHORITY: section 210.221[. 1(3)], RSMo [Supp. 1993] 2000. This rule was previously filed as 13 CSR 40-62.110, 13 CSR 40-62.122, and 19 CSR 40-62.122. Original rule filed March 29, 1991, effective Oct. 31, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed April 29, 2011.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health and Senior Services, Section for Child Care Regulation, Nancy McIsaac, Child Care Program Specialist, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via email at kathy.quick@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 1—OFFICE OF ADMINISTRATION
Division 10—Commissioner of Administration
Chapter 15—Cafeteria Plan**

ORDER OF RULEMAKING

By the authority vested in the Office of Administration under section 33.103, RSMo Supp. 2010, the commissioner amends a rule as follows:

1 CSR 10-15.010 Cafeteria Plan is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2011 (36 MoReg 448-524). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 23—Division of Geology and Land Survey
Chapter 4—Monitoring Well Construction Code**

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department amends a rule as follows:

10 CSR 23-4.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 118-119). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received nine (9) comments on the proposed amendment.

COMMENT #1: Both staff and the Petroleum Storage Tank Insurance Fund (PSTIF) commented that a change needed to be made to the definition for Cone Penetrometer in section (2) for clarification purposes. PSTIF suggested the definition be removed.

RESPONSE AND EXPLANATION OF CHANGE: The department agreed to the suggested changes but did not believe the definition should be removed. The resulting changes to the rule are printed below.

COMMENT #2: Environmental Works of Springfield, Missouri, commented that definitions in sections (4), (6), and (8) needed to be clarified because they believed the rule was not intended to cover wells set in non-native fill—like gravel.

RESPONSE: Because the rule is meant to cover wells set in non-native fill, no change will be made.

COMMENT #3: PSTIF suggested the definition for lysimeters in section (7) be removed because they believe the term may confuse the reader. Staff suggested some new wording for the definition for clarity.

RESPONSE AND EXPLANATION OF CHANGE: The department believes the definition is needed to ensure that there is an understanding that monitoring wells using these devices are considered monitoring wells under these rules. However, the new wording has been incorporated and is printed below.

COMMENT #4: PSTIF suggested that the definition of gas migration well in section (5) should be changed. This was also a comment made by staff.

RESPONSE AND EXPLANATION OF CHANGE: The definition has been changed to reflect the concerns of both staff and PSTIF and is printed below.

COMMENT #5: Staff commented that the words “in pump and treat systems” be removed from section (6) of this rule because not all injection occurs in conjunction with pump and treat systems. Staff also commented that the word “an” should be removed.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment and has removed those words from the definition. The new rule language is printed below.

COMMENT #6: PSTIF and staff suggested that subsection (8)(C) of the rule be changed to add the statement that soil borings advanced to collect construction foundation are excluded. They also suggested that subsections (8)(D) and (8)(H) be combined for clarity.

RESPONSE: The statutory definitions are all listed in a different rule (10 CSR 23-1.010) and this does not need to be repeated here. The department also believes that the current subsections (8)(D) and (8)(H) are clear and combining them may be more confusing since the screening devices can be used in applications other than direct push applications. No change is being made to the rule.

COMMENT #7: PSTIF and a staff member suggested changes to the observation well definition in section (11). The first suggestion was to remove the word “requirements of this rule” and change it to “this definition.” The second was to add the words “that is ten feet (10') or greater in depth” to the definition.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with both of these suggestions. The change to the rule is printed below.

COMMENT #8: PSTIF suggested that the last sentence in the definition of protective casing in section (14) of the rule be deleted since it is a directive rather than part of the definition and, as such, belongs in the construction standards rule. Environmental Works suggested that the definition was confusing.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with both comments and has changed the wording to reflect the comments. The directive has been moved to 10 CSR 23-4.060. The changed rule language is printed below.

COMMENT #9: Through a general public comment to this rule, PSTIF expressed reservations about the Well Installation Board's authority to regulate drill holes that do not intersect water, including those used for the sole purpose of collecting soil data, and soil gas wells. After meetings with department staff, PSTIF did agree not to object to rules governing this type of monitoring well based on some mutually agreeable contents of this rule.

RESPONSE AND EXPLANATION OF CHANGE: The Department of Natural Resources offers that, in order to regulate construction and abandonment of monitoring wells for the prevention of groundwater contamination, some fiscal impact will be realized by PSTIF. The department has coordinated with this group to ensure that the requirements of this mutual agreement are included resulting in groundwater protection and minimal fiscal impacts to PSTIF. Changes have been made to the definition of a monitoring well and other places in this rule and are printed below.

10 CSR 23-4.010 Definitions

(2) Cone penetrometer means a device used to gather any subsurface information. The device penetrates the ground surface by direct push as a general method of installation.

(5) Gas migration well is a monitoring well that is ten feet (10') or greater in depth and designed for the sampling, detection, and analysis of a gas or vapor that is potentially present or migrating away from a contaminant source.

(6) Injection well is a monitoring well that is ten feet (10') or greater in depth into which fluid or other media is injected, to clean, treat, or prevent contamination of groundwater. All other types of injection wells are defined by the Environmental Protection Agency (EPA); these wells may be regulated by other department programs or state agencies.

(7) Lysimeter is a device used to measure the percolation of water through soils and/or for determining what soluble constituents are in the fluids moving through the soils.

(8) Monitoring well means a well that is ten feet (10') or greater in depth which is constructed during assessment, characterization, and/or remediation of a site to obtain site-specific water quality, contaminant movement, or geologic or hydrologic data. This includes, but is not limited to:

- (A) Extraction wells;
- (B) Injection wells;
- (C) Soil borings;
- (D) Direct push wells;
- (E) Piezometers;
- (F) Observation wells;

(G) Gas migration wells; and

(H) Subsurface penetrations associated with field screening devices such as cone penetrometers and lysimeters.

(11) Observation well means any monitoring well that is ten feet (10') or greater in depth, in which the screen intersects a water table, for the specific purpose of determining either the elevation of the water table or the physical, chemical, biological, or radiological properties of groundwater. Observation wells constructed in the tank pit used as a part of an underground storage tank leak detection system are excluded from this definition.

(14) Casing means an industry standard sized pipe for the purpose of sealing off a specific zone of geology or contaminants.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 23—Division of Geology and Land Survey Chapter 4—Monitoring Well Construction Code

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department amends a rule as follows:

10 CSR 23-4.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 119-120). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received five (5) comments on the proposed amendment.

COMMENT #1: Environmental Works commented that they wanted to include fee information in section (1) of this rule.

RESPONSE: All fee information is in another rule. Including it in all of the different chapters would require several rule changes every time a fee is changed. There will be no change made to the rule based on this comment.

COMMENT #2: The Petroleum Storage Tank Insurance Fund (PSTIF) commented that the sentence in section (3) of this rule requiring temporary wells be plugged within thirty (30) days is unnecessary and confusing and suggested that it be deleted. Environmental Works commented on the need for clarification that soil borings be registered as a group if they are temporary wells.

RESPONSE: The wording about temporary wells needing to be plugged is necessary because it is a common mistake made by contractors and it is included here to help clarify this. The department offers that the wording is a clear statement. No change is being made to the rule based on these comments.

COMMENT #3: PSTIF suggests a change to the wording in section (3) regarding the reporting of temporary monitoring wells. They suggest further subdividing the section and changed the wording to allow the report to be turned in “no more than one hundred eighty (180) days after completion of the plugging of the first temporary well being reported.”

RESPONSE AND EXPLANATION OF CHANGE: The report is to be submitted within one hundred eighty (180) days after completion of plugging the well. In an effort to make this more clear, the paragraph is being divided into two (2) separate sections. This change is printed below.

COMMENT #4: PSTIF suggested a change the wording section (4) of this rule to “. . . at least one (1) place after the second’s decimal point in this format: latitude . . .”

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that this wording is clearer and has made this change. The section with this change is printed below.

COMMENT #5: The Antea Group commented that given the widespread use of global positioning system (GPS) devices and geographic information system (GIS) mapping, the rule should also allow the use of standard GPS coordinates to record geographic location of the wells.

RESPONSE: The department’s database will only accept data in the degree, minutes, and seconds format. Therefore, this is the format in which the data should be submitted. GPS devices can be programmed to record the data in this manner, and there are many Internet sites that can easily convert the data to this format if it has been collected it in another format. No change is being made to this rule based on this comment.

10 CSR 23-4.020 Certification and Registration for Monitoring Wells

(3) A registration report form, supplied by the division, shall be used to report the plugging of a monitoring well or the major repair, or alteration, of a monitoring well and must be submitted to the division by the permittee within sixty (60) days after completion of such operations. The registration report form shall be accompanied by the registration fee. Temporary monitoring wells are required to be plugged within thirty (30) days after initial completion. The registration report form shall contain all required information specified thereon.

(4) When temporary wells are installed, usually multiple wells per monitoring site are used. All temporary wells per monitoring site may be reported on one (1) registration report form if the wells are plugged the same way. Only one (1) registration fee is required per site. The submittal of this type of registration report form and fee is required within one hundred eighty (180) days of completion of the plugging of temporary wells. The registration report form shall contain all required information specified thereon.

(5) Certification and registration report forms shall include the geographic location of the well. The geographic location shall have a format in degrees, minutes, and seconds for latitude and longitude relative to the North American Datum 1983 (NAD1983) geodetic datum. Location accuracy shall be at least one (1) place after the second’s decimal point in this format: latitude 38° 59’ 59.9”N, longitude 94° 01’ 01.0”W.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 23—Division of Geology and Land Survey Chapter 4—Monitoring Well Construction Code

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department amends a rule as follows:

10 CSR 23-4.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 120). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received two (2) comments on the proposed amendment.

COMMENT #1: Environmental Works commented that in subsection (1)(B) the rule is not specific enough about determination of areas prone to flooding. They suggest the rule be more specific.

RESPONSE: This portion of the rule is written as guidance so that the well is located so that proper drainage in the vicinity of the well shall be provided to prevent the accumulation and pooling of surface water within ten feet (10’) of the well. No change is being made to the rule based on this comment.

COMMENT #2: The Petroleum Storage Tank Insurance Fund (PSTIF) and staff commented that the wording in subsection (1)(C) of this rule should be changed. They believe it is not clear. Their proposed change: “When located in areas of traffic, the wellhead must either be protected by protective posts to prevent damage or completed as a surface flush mount as described in . . .” Staff suggested adding the words “the well must be” before the word “completed” in this subsection.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that wording change is necessary. The changed wording is printed below.

10 CSR 23-4.030 Location of Wells

(1) A monitoring well shall be—

(C) When located in areas of traffic, an above ground surface completion must either be protected by protective posts to prevent damage or the well must be completed as a surface flush mount as described in 10 CSR 23-4.060(10)(B).

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 23—Division of Geology and Land Survey Chapter 4—Monitoring Well Construction Code

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department rescinds a rule as follows:

10 CSR 23-4.040 Drilling Methods for Monitoring Wells is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 3, 2011 (36 MoReg 120-121). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rescission was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received zero (0) comments on the proposed rescission.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 23—Division of Geology and Land Survey Chapter 4—Monitoring Well Construction Code

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department amends a rule as follows:

10 CSR 23-4.050 General Protection of Groundwater Quality and Resources is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 121). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received (1) comment on the proposed amendment.

COMMENT #1: Environmental Works commented that the department is requiring pre-approval before converting the type of well. They understand that if the well is altered, it should be reported. However, they believe the rules should not include this requirement if a well's purpose is converted from monitoring to remediation. Their reasoning is that other department staff will be involved and there is no need to report this based on these rules.

RESPONSE: This is not a change to the current rule. If the use is changed, it must be reported to ensure new construction and use parameters will still be protective of the groundwater for the new intended use. For example, a monitoring well may have been installed to monitor for a contaminant and will now be converted to water well or a monitoring well used for remediation. No change is being made based on this comment.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 23—Division of Geology and Land Survey
Chapter 4—Monitoring Well Construction Code**

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department amends a rule as follows:

10 CSR 23-4.060 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 121-126). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received nine (9) comments on the proposed amendment.

COMMENT #1: Staff commented that portions of paragraph (1)(D)1. should read the same as portions of paragraph (1)(C)1. to ensure consistency in that the requirements for riser pipes and screens are the same for both plastic and metallic materials that can be used.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment. The changed wording is written below.

COMMENT #2: The Petroleum Storage Tank Insurance Fund (PSTIF) commented on section (3) of this rule. They believe the

entire section should be reworded and renumbered to provide more clarity.

RESPONSE: Since the wording and format of the rule has been changed already and this is the only comment received on the clarity issue of this rule, the department offers that the rule is clear. No changes will be made based on this comment.

COMMENT #3: Environmental Works commented on section (4) of this rule. They state that the rule starts out clearly about open-hole completions but brings in a reference to domestic wells at the location. They want more information as to what is being requested.

RESPONSE: Open-hole completions are only allowed on a case-by-case basis, so contact with the department is mandatory. Each contractor is provided the entire booklet on regulations for all wells. When the contractor contacts the department for approval of the open-hole completion wells, staff will include the casing requirements referred to in the rule. The citation referred to is in the booklet they receive when they get a permit to operate in the state; it is also on the secretary of state's website and on the department's website. There is no need to depict exact casing requirements in this rule because they are depicted in the Chapter 3 rules as cited in this rule and will be required during the pre-approval process for these types of wells. This increased casing requirement is more protective of the groundwater. No change will be made based on this comment.

COMMENT #4: PSTIF commented on subsection (6)(C) of this rule. They suggest splitting this subsection into two (2) subsections. They also suggested specific wording.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that this clarification is warranted. However, the wording was not used exactly as PSTIF proposed. The changed wording is written below.

COMMENT #5: Environmental Works commented on sections (7) and (8) of this rule. They believe the two (2) sections conflict with each other. PSTIF also commented that section (7) of this rule was difficult to understand as written. Staff commented on section (8) saying it needed more clarity.

RESPONSE AND EXPLANATION OF CHANGE: Considering all three (3) of the comments on these two (2) sections, the department made changes to the wording that should take care of all concerns. New wording is written below.

COMMENT #6: Antea Group commented on subsection (8)(C) of the rule stating that it was unclear if a variance was required for nested soil vapor wells. PSTIF also suggested a change to clarify this subsection by creating another subsection. Staff also commented on this subsection suggesting alternate wording.

RESPONSE AND EXPLANATION OF CHANGE: Considering all the comments on this subsection, the department made changes to this subsection and utilized wording that should take care of all of the concerns. Changed wording is written below.

COMMENT #7: PSTIF commented on section (9) of this rule stating that the rule refers to four (4) grout types but only three (3) grout types are listed. Staff suggested that the words "protective casing" should be changed to the words "surface completion" to make the rule consistent throughout.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with these comments, and the changed wording is written below.

COMMENT #8: PSTIF commented on section (10) of this rule recommending the word "regulated" be removed in reference to monitoring wells, since it is self-evident that the rules only apply to "regulated monitoring wells." They also suggested rewording the sentence as follows: "Surface protection is required on all monitoring

wells to deter . . .” They also suggested removing the last sentence in this section as it is repeated later in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with these suggested changes, and the changed wording is written below.

COMMENT #9: Environmental Works commented on section (13) of the rule stating they believe the pump installation contractor certification (permit) should be split up between those professionals whose primary work involves installing pumps for domestic water well use and those who are involved in environmental monitoring/remediation.

RESPONSE: The permitting requirements for pump installers of any type are addressed in Chapter 1 of the rules. They should not be addressed in this rule because it sets requirements for construction of wells, not permitting of the persons who construct them. No change will be made to this rule based on this comment.

10 CSR 23-4.060 Construction Standards for Monitoring Wells

(1) Riser Pipe and Screen Material.

(D) All metallic riser pipe must meet the following minimum standards:

1. The minimum nominal diameter for riser pipe and screen installed in monitoring wells is two inches (2") except that direct push wells may have riser pipe and screen with a minimum nominal diameter of three-quarters of an inch (3/4");

2. The wall thickness for carbon, low-carbon, and galvanized steel must not be less than Schedule 40. The wall thickness of stainless 304 and 316 must not be less than Schedule 5. The joint wall thickness must not be less than Schedule 40, with exception for soil gas monitoring wells utilizing a soil gas implant and tubing;

3. Metallic riser pipe must be joined by a watertight mechanical joint or welded. The well should be checked for the presence of explosive gases before welding begins; and

4. Riser pipe and screen material must be new and free from contaminants which would affect the quality of the groundwater or would adversely affect the monitoring.

(6) **Installation of Primary Filter Pack.** After the well screen and riser assembly are installed in the well, the filter pack materials must be emplaced.

(C) When installing a monitoring well for shallow monitoring, the primary filter pack must extend a minimum of six inches (6") above the top of the well screen.

(D) Soil vapor implants are required to have a minimum primary filter pack of six inches (6") above and below each implant.

(7) The installation of a secondary filter pack is required unless non-slurry bentonite is used as a bentonite seal or annular seal. The purpose of a secondary filter pack, which is placed directly on top of the primary filter pack, is to ensure that annular seal slurry grouts do not infiltrate into the primary filter pack. The secondary filter pack must extend from one foot to two feet (1'-2') above the primary filter pack and shall consist of one foot to two feet (1'-2') of clean fine sand.

(8) The installation of a bentonite seal is required if the annular seal is composed of slurry grout material and a secondary filter pack is not used. The purpose of the bentonite seal is to keep the slurry grout which is emplaced above from mixing with the primary and secondary filter pack materials. If required, the bentonite seal must be a minimum of two feet (2') thick.

(C) Nested well construction will be considered on a case-by-case basis. Pre-approval by the division is required, via the variance process, before construction begins, except that gas migration wells constructed using soil vapor implants do not require a variance as long as they meet the requirements of subsection (6)(D) of this rule, have a minimum bentonite seal of one foot (1') between each primary

filter pack and a minimum of one and one-half feet (1.5') of bentonite seal between the uppermost primary filter pack and that base of the surface completion.

(9) **Installation of the Annular Seal.** The monitoring well environment may contain many chemicals or organic compounds that could affect the sealing capabilities of various kinds of grout. The type of grout used must be able to function to one hundred percent (100%) of its designed sealing capabilities until the well is properly plugged. The type of grout used must not influence, contaminate, or hinder the use of the monitoring well for its designed purpose. The annular seal must extend from the secondary filter pack or bentonite seal to the base of the surface completion. The combined annular seal and bentonite seal (if a bentonite seal is utilized) must be at least two feet (2') thick unless monitoring for shallow contaminants. Monitoring wells constructed for shallow monitoring, as defined in 10 CSR 23-4.010, must have a minimum combined annular seal and bentonite seal (if a bentonite seal is utilized) of at least one foot (1'). The following grout types are permitted in monitoring wells:

(10) **Well Protection.** Surface protection on all monitoring wells is required to deter unauthorized entry, prevent surface water from entering the annular space, and protect the well from accidental damage caused by collision from vehicles or heavy equipment. The two (2) types of surface completion designs are above ground completions and flush mount completions.

(A) **Above Ground Completions.** Above ground completions must meet the following standards:

1. The protective casing must extend from at least one and one-half feet (1 1/2') above the finished grade of the ground surface to a point at least two feet (2') below the finished grade, except as stated in subsection (11)(B) of this rule for flush mount completions. The riser pipe must be at least two inches (2") below the top of the above ground completion. The above ground completion must be placed in a hole that is at least eight inches (8") in diameter larger than the above ground completion size. Care must be taken so that the shape of this hole, when filled with concrete, does not encourage frost heaving. The protective casing must be centered in this hole and concrete poured around the casing to secure it. Cement or bentonite slurry is not allowed. All water must be removed from the enlarged hole before concrete is added. The surface of the concrete must slope away from the protective casing so that pooling of surface water does not occur;

2. A weep hole or alternate method must be employed to ensure water does not accumulate inside the protective casing to the point that the top of the riser is submerged, except on temporary wells that are plugged within forty-eight (48) hours of initial installation;

3. A locking well cap and a suitable lock must be attached to the top of the above-ground completion. The riser pipe must be sealed with a watertight cap and must extend at least two feet (2') above the finished surface grade in flood prone areas. Temporary monitoring wells are exempt from this paragraph if they are plugged within forty-eight (48) hours of initial installation; and

4. All monitoring wells must be uniquely identified so as to distinguish one (1) well from another on the monitoring site and on the monitoring well certification form.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 23—Division of Geology and Land Survey Chapter 4—Monitoring Well Construction Code

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department rescinds a rule as follows:

10 CSR 23-4.070 Monitoring Well Development is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 3, 2011 (36 MoReg 126). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rescission was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received zero (0) comments on the proposed rescission.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 23—Division of Geology and Land Survey
Chapter 4—Monitoring Well Construction Code**

ORDER OF RULEMAKING

By the authority vested in the Department of Natural Resources under section 256.626, RSMo 2000, the department amends a rule as follows:

10 CSR 23-4.080 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 126–127). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on February 3, 2011. The public comment period ended on February 7, 2011. The department received three (3) comments on the proposed amendment.

COMMENT #1: Roberts Environmental and Environmental Works commented on subsection (2)(B) of this rule stating that commonly the driller does not know if the casing or other well materials can be pulled until it is attempted in the field. The department should reconsider requiring a variance in advance of trying to pull the casing and they believe that the phrase “if possible” is still needed in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment and is removing the requirement for requesting a variance for plugging in place when the riser and screen cannot be pulled. Changed wording is written below.

COMMENT #2: Antea Group commented on subsection (2)(E) of this rule. They believe that crushed rock, gravel, or poorly sorted gravel that is readily compactible should be allowed as backfill material in addition to the current requirement of compacted uncontaminated native material. They also request that the requirement to have a contractor with a non-restricted permit on site when a well is completely excavated be removed as they believe it is impractical. Staff also suggested changing the words “protective casing” to “surface completion.”

RESPONSE AND EXPLANATION OF CHANGE: Backfilling a monitoring well that is not in a tank pit is not a standard practice. It is important, especially in a contaminated site, to have material that is as impermeable as possible used as backfill material. However, the department offers that in some circumstances, other type of fill is appropriate. The department agrees that it is not necessary that a non-restricted contractor be on site to ensure that the excavation is complete and that no conduit for contaminants entering the groundwater exists when the excavation is complete. Any permitted contractor will be knowledgeable enough to ensure this excavation is

complete and that the groundwater is protected. A change to the rule was made based on comments to clarify the section.

COMMENT #3: Petroleum Storage Tank Insurance Fund (PSTIF), the Antea Group, and Environmental Works commented on section (3) of this rule. They all have commented on either the reporting and/or fee requirements for wells that have been altered in some way such as paved over, buried, or otherwise lost should not have to be submitted to the department as required now as a standard business practice. PSTIF believes they should be reported but no fee should be charged. Environmental Works believes they should not have to be reported until the end of the project when all wells are being plugged. The Antea Group and PSTIF believe there should be another form created to report these wells. PSTIF has questioned the Well Installation Board’s authority for requiring the reporting of these wells. Antea Group has questioned the department’s authority for requiring fees for the reporting of these wells.

RESPONSE AND EXPLANATION OF CHANGE: The department added wording to this proposed amendment to clarify what it has been doing as standard practice since 1994 when the rule was first promulgated. This practice has recently come to the notice of more firms in the past year due to enhanced coordination among department programs, resulting in discovery of many more lost wells that had not been reported. The department agrees that either the current form needs to be revised or a new form should be created to more accurately report these wells. Per request from several firms, the department has requested a legal opinion on its authority to require the reporting and fees for these wells. While awaiting that determination, the department has decided to remove the proposed new wording in the rule and continuing holding the records reporting these wells and work on a new form for reporting them. Once the determination is made the department will act accordingly, either amending the rules that pertain to this activity or continuing with the practice the department has been adhering to for the past seventeen (17) years. The changed wording is written below.

10 CSR 23-4.080 Plugging of Monitoring Wells

(2) When plugging a monitoring well, the following minimum requirements shall be met:

(B) All surface completion and permanent casing, riser pipe, and well screen must be removed from the borehole. If, when removing the casing, the borehole begins to collapse, grout must be simultaneously emplaced while the casing is removed to ensure a proper seal;

(E) A monitoring well that is less than twenty-four feet (24') in total depth may be completely excavated as opposed to being plugged with grout. If the remaining hole is ten feet (10') or more in depth, it must be filled with clean replacement material that is compactable to a permeability less than, or equal to, the minimum permeability of the encompassing native materials. A monitoring well installation contractor must be on site at all times during the excavation and filling operations.

(3) The plugging or complete excavation of a monitoring well must be reported on a registration report form supplied by the division.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 12—Liquor Control**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission amends a rule as follows:

11 CSR 45-12.090 Rules of Liquor Control is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 127). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 16, 2011. No one commented at the public hearing, and no written comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo Supp. 2010, the director rescinds a rule as follows:

12 CSR 10-3.888 Sales “In Commerce” Between Missouri and Other States **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 1, 2011 (36 MoReg 899). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 700.111, RSMo Supp. 2010, the director adopts a rule as follows:

12 CSR 10-23.475 Fees and Required Documentation for Designating Manufactured Homes as Real or Personal Property **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2011 (36 MoReg 899–901). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 8—Unfair Practices**

ORDER OF RULEMAKING

By the authority vested in the attorney general under section 407.145, RSMo 2000, the attorney general amends a rule as follows:

15 CSR 60-8.010 Definitions **is amended**.

A notice of proposed rulemaking containing the text of the proposed

amendment was published in the *Missouri Register* on January 18, 2011 (36 MoReg 230). No changes have been made in the text of the proposed amendment so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

IN ADDITION

The following public notice regarding the severe storms, tornadoes, and flooding occurring from April 19, 2011, and continuing is issued by the Department of Homeland Security, Federal Emergency Management Agency Joint Field Office located in Columbia, Missouri. This public notice is published per federal regulation requirements found in Section 2(a)(4) of Executive Order 11988 and Section 2(b) of Executive Order 11990.

Joint Field Office
1512 Heriford Road
Columbia, MO 65202



FEMA

May 14, 2011
FEMA Region VII News Desk
816-283-7095

PUBLIC NOTICE FEMA-1980-DR-MO

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse eligible applicants for eligible costs to repair and/or replace facilities damaged by Severe Storms, Tornadoes, and Flooding occurring from April 19, 2011, and continuing. This notice applies to the Public Assistance (PA), Individual Assistance (IA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206.

Under a major disaster declaration (FEMA -1980-DR-MO) signed by the President on May 9, 2011, the following county has been designated adversely affected by the disaster and eligible for both IA and PA: St. Louis. The following counties are eligible for IA only: Butler, Mississippi, New Madrid, and Taney. Additional counties may be designated at a later date. All counties in the State of Missouri, and the Independent City of St. Louis, are eligible for HMGP.

This public notice concerns activities that may affect historic properties, activities that are located in or affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

Presidential Executive Orders 11988 and 11990 require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and evaluated for social, economic, historical, environmental, legal and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages. The public is invited to participate in the process of identifying alternatives and analyzing their impacts.

FEMA has determined that for certain types of facilities there are normally no alternatives to restoration in the floodplain/wetland. These are facilities that meet all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50% of the cost to replace the entire facility, and is less than \$100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous Presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For routine activities, this will be the only public notice provided. Other activities and those involving facilities that do not meet the four criteria are required to undergo more detailed review, including study of alternate locations. Subsequent public notices regarding such projects will be published if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration before federal involvement. Even if the facility must undergo detailed review and analysis of alternate locations, FEMA will fund eligible restoration at the original location if the facility is functionally dependent on its floodplain location (e.g., bridges and flood control facilities), or the project facilitates an open space use, or the facility is an integral part of a larger network that is impractical or uneconomical to relocate, such as a road. In such cases, FEMA must also examine the possible effects of not restoring the facility, minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. State of Missouri and local officials will confirm to FEMA that proposed actions comply with all applicable State and local floodplain management and wetland protection requirements.

FEMA intends to provide IA program funding for disaster-related emergency housing. These actions may adversely affect a floodplain/wetland, or may result in continuing vulnerability to floods. These actions may include repair, restoration or construction of housing or private bridges, purchase and placement of travel trailers or manufactured housing units, or repair of structures as minimum protective measures. This will be the only public notice concerning these actions.

FEMA also intends to provide HMGP funding to the State of Missouri, and the Independent City of St. Louis, to mitigate future disaster damages. These projects may include construction of new facilities, modification of existing, undamaged facilities, relocation of facilities out of floodplains, demolition of structures, or other types of projects to mitigate future disaster damages. In the course of developing project proposals, subsequent public notices will be published if necessary, as more specific information becomes available.

The National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. Those actions or activities affecting buildings, structures, districts or objects 50 years or older or that affect archeological sites or undisturbed ground will require further review to determine if the property is eligible for listing in the National Register of Historic Places (Register). If the property is determined to be eligible for the Register, and FEMA's undertaking will adversely affect it, FEMA will provide additional public notices. For historic properties not adversely affected by FEMA's undertaking, this will be the only public notice.

As noted, this may be the only public notice regarding the above-described actions under the PA, IA, and HMGP programs. Information about assistance projects may be obtained by submitting a written request to the Regional Administrator, DHS-FEMA Region VII; 9221 Ward Parkway, Suite 300; Kansas City, MO 64114-3372. The information may also be obtained by calling: (816) 283-7060, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Comments should be sent in writing to the Regional Director, at the above address, within 15 days of the date of publication of this notice.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the expedited applications listed below. A decision is tentatively scheduled for June 21, 2011. These applications are available for public inspection at the address shown below.

Date Filed

Project Number: Project Name
City (County)
Cost, Description

05/09/11

#4669 NT: Elizabeth House
Bridgeton (St. Louis County)
\$8,923,121, Replace 60-bed SNF

05/10/11

#4670 RT: Shirkey Pavilion Assisted Living
Richmond (Ray County)
\$2,022,719, Renovate/modernize 30-bed ALF

#4657 HT: Golden Valley Memorial Hospital
Clinton (Henry County)
\$1,696,719, Replace magnetic resonance imager

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by June 10, 2011. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
Post Office Box 570
Jefferson City, MO 65102

For additional information, contact
Donna Schuessler, (573) 751-6403.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

NOTICE OF WINDING UP AND DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST BRISTOL DEVELOPMENT GROUP, LLC.

On April 18, 2011, Bristol Development Group, LLC, a Missouri limited liability company (the "Company") filed its Notice of Winding Up and Articles of Termination with the Missouri Secretary of State. The Company requests that claimants against the Company present claims in writing to: Zachary A. Abeles, Attorney c/o Polsinelli Shughart PC, 100 South Fourth Street, Suite 1000, St. Louis, MO 63102. All claims must include (1) the name, address and telephone number of the claimant; (2) the amount claimed; (3) the basis of the claim; (4) the date on which the claim arose; and (5) documentation supporting the claim. All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				30 MoReg 2435 35 MoReg 1815
1 CSR 10-15.010	Commissioner of Administration	36 MoReg 273	36 MoReg 448	This Issue	
DEPARTMENT OF AGRICULTURE					
2 CSR 30-1.010	Animal Health		35 MoReg 1845	36 MoReg 1347	
2 CSR 30-2.010	Animal Health		35 MoReg 1845	36 MoReg 1347	
2 CSR 30-2.020	Animal Health		35 MoReg 1846	36 MoReg 1349	
2 CSR 30-6.020	Animal Health		36 MoReg 524		
2 CSR 30-9.020	Animal Health	36 MoReg 217	36 MoReg 221		
2 CSR 80-5.010	State Milk Board		36 MoReg 980		
2 CSR 80-6.041	State Milk Board		36 MoReg 224	36 MoReg 1185	
2 CSR 90	Weights and Measures				35 MoReg 1284
2 CSR 90-10.001	Weights and Measures		36 MoReg 885		
2 CSR 90-10.011	Weights and Measures		36 MoReg 885		
2 CSR 90-10.012	Weights and Measures		36 MoReg 886		
2 CSR 90-10.013	Weights and Measures		36 MoReg 887		
2 CSR 90-10.014	Weights and Measures		36 MoReg 889		
2 CSR 90-10.015	Weights and Measures		36 MoReg 890		
2 CSR 90-10.020	Weights and Measures		36 MoReg 890		
2 CSR 90-10.040	Weights and Measures		36 MoReg 891		
2 CSR 90-10.060	Weights and Measures		36 MoReg 892R		
2 CSR 90-10.070	Weights and Measures		36 MoReg 892R		
2 CSR 90-10.090	Weights and Measures		36 MoReg 892		
2 CSR 90-10.120	Weights and Measures		36 MoReg 892		
2 CSR 90-10.130	Weights and Measures		36 MoReg 893		
2 CSR 90-10.140	Weights and Measures		36 MoReg 893		
2 CSR 90-10.145	Weights and Measures		36 MoReg 894		
2 CSR 90-10.150	Weights and Measures		36 MoReg 894		
2 CSR 90-10.155	Weights and Measures		36 MoReg 896		
2 CSR 90-10.160	Weights and Measures		36 MoReg 896		
2 CSR 90-10.165	Weights and Measures		36 MoReg 896		
2 CSR 90-10.170	Weights and Measures		36 MoReg 897		
2 CSR 90-10.175	Weights and Measures		36 MoReg 897		
2 CSR 90-10.180	Weights and Measures		36 MoReg 898		
2 CSR 90-10.185	Weights and Measures		36 MoReg 898		
2 CSR 90-30.080	Weights and Measures		36 MoReg 707		
2 CSR 90-30.086	Weights and Measures		36 MoReg 709		
2 CSR 110-3.010	Office of the Director		35 MoReg 1848	36 MoReg 1185	
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.135	Conservation Commission		36 MoReg 710	36 MoReg 1185	
3 CSR 10-5.205	Conservation Commission		36 MoReg 1033		
3 CSR 10-5.215	Conservation Commission		36 MoReg 710	36 MoReg 1185	
3 CSR 10-7.450	Conservation Commission		36 MoReg 710	36 MoReg 1186	
3 CSR 10-7.455	Conservation Commission				36 MoReg 676
3 CSR 10-8.515	Conservation Commission		36 MoReg 711	36 MoReg 1186	
3 CSR 10-9.110	Conservation Commission		36 MoReg 1034		
3 CSR 10-10.711	Conservation Commission		36 MoReg 711R	36 MoReg 1186R	
3 CSR 10-10.716	Conservation Commission		36 MoReg 712R	36 MoReg 1186R	
3 CSR 10-11.120	Conservation Commission		36 MoReg 1035		
3 CSR 10-11.205	Conservation Commission		36 MoReg 1035		
3 CSR 10-11.210	Conservation Commission		36 MoReg 1036		
3 CSR 10-12.110	Conservation Commission		36 MoReg 1036		
3 CSR 10-12.115	Conservation Commission		36 MoReg 1036		
3 CSR 10-12.125	Conservation Commission		36 MoReg 1037		
3 CSR 10-12.135	Conservation Commission		36 MoReg 1037		
3 CSR 10-12.140	Conservation Commission		36 MoReg 1038		
3 CSR 10-12.145	Conservation Commission		36 MoReg 1038		
3 CSR 10-20.805	Conservation Commission		36 MoReg 1039		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 240-2.010	Public Service Commission		36 MoReg 1039		
4 CSR 240-2.025	Public Service Commission		36 MoReg 1041		
4 CSR 240-2.030	Public Service Commission		36 MoReg 1041		

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4 CSR 240-2.040	Public Service Commission		36 MoReg 1044		
4 CSR 240-2.045	Public Service Commission		36 MoReg 1044R		
4 CSR 240-2.050	Public Service Commission		36 MoReg 1045		
4 CSR 240-2.060	Public Service Commission		36 MoReg 1045		
4 CSR 240-2.062	Public Service Commission		36 MoReg 1046		
4 CSR 240-2.065	Public Service Commission		36 MoReg 1051		
4 CSR 240-2.070	Public Service Commission		36 MoReg 1051		
4 CSR 240-2.075	Public Service Commission		36 MoReg 1053		
4 CSR 240-2.080	Public Service Commission		36 MoReg 1054		
4 CSR 240-2.085	Public Service Commission		36 MoReg 1056R		
4 CSR 240-2.110	Public Service Commission		36 MoReg 1057		
4 CSR 240-2.116	Public Service Commission		36 MoReg 1058		
4 CSR 240-2.125	Public Service Commission		36 MoReg 1058		
4 CSR 240-2.130	Public Service Commission		36 MoReg 1059		
4 CSR 240-2.135	Public Service Commission		36 MoReg 1060		
4 CSR 240-2.140	Public Service Commission		36 MoReg 1063		
4 CSR 240-2.160	Public Service Commission		36 MoReg 1063		
4 CSR 240-2.180	Public Service Commission		36 MoReg 1064		
4 CSR 240-3.163	Public Service Commission		35 MoReg 1610	36 MoReg 1071	
4 CSR 240-3.164	Public Service Commission		35 MoReg 1629	36 MoReg 1088	
4 CSR 240-3.510	Public Service Commission		35 MoReg 1736	36 MoReg 997	
4 CSR 240-20.093	Public Service Commission		35 MoReg 1647	36 MoReg 1105	
4 CSR 240-20.094	Public Service Commission		35 MoReg 1667	36 MoReg 1126	
4 CSR 240-20.100	Public Service Commission				36 MoReg 1002
					36 MoReg 1008
4 CSR 240-22.010	Public Service Commission		35 MoReg 1737	36 MoReg 1351	
4 CSR 240-22.020	Public Service Commission		35 MoReg 1738	36 MoReg 1354	
4 CSR 240-22.030	Public Service Commission		35 MoReg 1741	36 MoReg 1359	
4 CSR 240-22.040	Public Service Commission		35 MoReg 1746	36 MoReg 1361	
4 CSR 240-22.045	Public Service Commission		35 MoReg 1749	36 MoReg 1363	
4 CSR 240-22.050	Public Service Commission		35 MoReg 1753	36 MoReg 1367	
4 CSR 240-22.060	Public Service Commission		35 MoReg 1761	36 MoReg 1372	
4 CSR 240-22.070	Public Service Commission		35 MoReg 1766	36 MoReg 1376	
4 CSR 240-22.080	Public Service Commission		35 MoReg 1769	36 MoReg 1378	
4 CSR 240-32.190	Public Service Commission		35 MoReg 1848	36 MoReg 1186	36 MoReg 190
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 50-345.105	Office of Quality Schools		36 MoReg 1065		
5 CSR 70-742.141	Special Education		N.A.	36 MoReg 997	
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-2.080	Commissioner of Higher Education		36 MoReg 229	36 MoReg 1187	
6 CSR 10-2.150	Commissioner of Higher Education		36 MoReg 230	36 MoReg 1187	
6 CSR 10-2.180	Commissioner of Higher Education		36 MoReg 980		
6 CSR 10-2.190	Commissioner of Higher Education		36 MoReg 982		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-25.010	Missouri Highways and Transportation Commission				36 MoReg 1195
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-5.010	Division of Employment Security		36 MoReg 1221		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.040	Air Conservation Commission		36 MoReg 985R		
10 CSR 10-3.060	Air Conservation Commission		36 MoReg 985R		
10 CSR 10-4.040	Air Conservation Commission		36 MoReg 985R		
10 CSR 10-5.030	Air Conservation Commission		36 MoReg 986R		
10 CSR 10-5.330	Air Conservation Commission		36 MoReg 14		
			36 MoReg 712		
10 CSR 10-5.340	Air Conservation Commission		36 MoReg 32		
			36 MoReg 730		
10 CSR 10-5.442	Air Conservation Commission		36 MoReg 38		
			36 MoReg 736		
10 CSR 10-5.455	Air Conservation Commission		36 MoReg 47		
			36 MoReg 745		
10 CSR 10-6.020	Air Conservation Commission		36 MoReg 51		
			36 MoReg 749		
10 CSR 10-6.060	Air Conservation Commission	36 MoReg 218	36 MoReg 86		36 MoReg 676
			36 MoReg 784		
10 CSR 10-6.065	Air Conservation Commission	36 MoReg 219	36 MoReg 95		36 MoReg 677
			36 MoReg 793		
10 CSR 10-6.200	Air Conservation Commission		36 MoReg 103		
			36 MoReg 801		
10 CSR 10-6.300	Air Conservation Commission		36 MoReg 816		
10 CSR 10-6.405	Air Conservation Commission		36 MoReg 986		
10 CSR 20-8.110	Clean Water Commission		35 MoReg 1454	36 MoReg 1384	

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10 CSR 20-10.010	Clean Water Commission (Changed to 10 CSR 26-2.010)		36 MoReg 1222		
10 CSR 20-10.011	Clean Water Commission (Changed to 10 CSR 26-2.011)		36 MoReg 1227		
10 CSR 20-10.012	Clean Water Commission (Changed to 10 CSR 26-2.012)		36 MoReg 1227		
10 CSR 20-10.020	Clean Water Commission (Changed to 10 CSR 26-2.020)		36 MoReg 1228		
10 CSR 20-10.021	Clean Water Commission (Changed to 10 CSR 26-2.021)		36 MoReg 1236		
10 CSR 20-10.022	Clean Water Commission (Changed to 10 CSR 26-2.022)		36 MoReg 1240		
10 CSR 20-10.030	Clean Water Commission (Changed to 10 CSR 26-2.030)		36 MoReg 1241		
10 CSR 20-10.031	Clean Water Commission (Changed to 10 CSR 26-2.031)		36 MoReg 1241		
10 CSR 20-10.032	Clean Water Commission (Changed to 10 CSR 26-2.032)		36 MoReg 1242		
10 CSR 20-10.033	Clean Water Commission (Changed to 10 CSR 26-2.033)		36 MoReg 1243		
10 CSR 20-10.034	Clean Water Commission (Changed to 10 CSR 26-2.034)		36 MoReg 1249		
10 CSR 20-10.040	Clean Water Commission (Changed to 10 CSR 26-2.040)		36 MoReg 1250		
10 CSR 20-10.041	Clean Water Commission (Changed to 10 CSR 26-2.041)		36 MoReg 1251		
10 CSR 20-10.042	Clean Water Commission (Changed to 10 CSR 26-2.042)		36 MoReg 1255		
10 CSR 20-10.043	Clean Water Commission (Changed to 10 CSR 26-2.043)		36 MoReg 1255		
10 CSR 20-10.044	Clean Water Commission (Changed to 10 CSR 26-2.044)		36 MoReg 1258		
10 CSR 20-10.045	Clean Water Commission (Changed to 10 CSR 26-2.045)		36 MoReg 1258		
10 CSR 20-10.050	Clean Water Commission (Changed to 10 CSR 26-2.050)		36 MoReg 1259		
10 CSR 20-10.051	Clean Water Commission (Changed to 10 CSR 26-2.051)		36 MoReg 1259		
10 CSR 20-10.052	Clean Water Commission (Changed to 10 CSR 26-2.052)		36 MoReg 1260		
10 CSR 20-10.053	Clean Water Commission (Changed to 10 CSR 26-2.053)		36 MoReg 1260		
10 CSR 20-10.060	Clean Water Commission (Changed to 10 CSR 26-2.070)		36 MoReg 1261		
10 CSR 20-10.061	Clean Water Commission (Changed to 10 CSR 26-2.071)		36 MoReg 1261		
10 CSR 20-10.062	Clean Water Commission (Changed to 10 CSR 26-2.072)		36 MoReg 1262		
10 CSR 20-10.063	Clean Water Commission (Changed to 10 CSR 26-2.074)		36 MoReg 1262		
10 CSR 20-10.064	Clean Water Commission (Changed to 10 CSR 26-2.075)		36 MoReg 1263		
10 CSR 20-10.065	Clean Water Commission (Changed to 10 CSR 26-2.078)		36 MoReg 1263		
10 CSR 20-10.066	Clean Water Commission (Changed to 10 CSR 26-2.082)		36 MoReg 1264		
10 CSR 20-10.067	Clean Water Commission (Changed to 10 CSR 26-2.083)		36 MoReg 1264		
10 CSR 20-10.068	Clean Water Commission (Changed to 10 CSR 26-2.080)		36 MoReg 1265		
10 CSR 20-10.070	Clean Water Commission (Changed to 10 CSR 26-2.060)		36 MoReg 1265		
10 CSR 20-10.071	Clean Water Commission (Changed to 10 CSR 26-2.061)		36 MoReg 1272		
10 CSR 20-10.072	Clean Water Commission (Changed to 10 CSR 26-2.062)		36 MoReg 1273		
10 CSR 20-10.073	Clean Water Commission (Changed to 10 CSR 26-2.063)		36 MoReg 1273		
10 CSR 20-10.074	Clean Water Commission (Changed to 10 CSR 26-2.064)		36 MoReg 1274		
10 CSR 20-11.090	Clean Water Commission (Changed to 10 CSR 26-3.090)		36 MoReg 1274		
10 CSR 20-11.091	Clean Water Commission		36 MoReg 1275R		
10 CSR 20-11.092	Clean Water Commission (Changed to 10 CSR 26-3.092)		36 MoReg 1275		
10 CSR 20-11.093	Clean Water Commission (Changed to 10 CSR 26-3.093)		36 MoReg 1276		
10 CSR 20-11.094	Clean Water Commission (Changed to 10 CSR 26-3.094)		36 MoReg 1276		
10 CSR 20-11.095	Clean Water Commission (Changed to 10 CSR 26-3.095)		36 MoReg 1279		
10 CSR 20-11.096	Clean Water Commission (Changed to 10 CSR 26-3.096)		36 MoReg 1280		

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10 CSR 20-11.097	Clean Water Commission (<i>Changed to 10 CSR 26-3.097</i>)		36 MoReg 1283		
10 CSR 20-11.098	Clean Water Commission (<i>Changed to 10 CSR 26-3.098</i>)		36 MoReg 1286		
10 CSR 20-11.099	Clean Water Commission (<i>Changed to 10 CSR 26-3.099</i>)		36 MoReg 1289		
10 CSR 20-11.101	Clean Water Commission (<i>Changed to 10 CSR 26-3.101</i>)		36 MoReg 1291		
10 CSR 20-11.102	Clean Water Commission (<i>Changed to 10 CSR 26-3.102</i>)		36 MoReg 1291		
10 CSR 20-11.103	Clean Water Commission (<i>Changed to 10 CSR 26-3.103</i>)		36 MoReg 1292		
10 CSR 20-11.104	Clean Water Commission (<i>Changed to 10 CSR 26-3.104</i>)		36 MoReg 1297		
10 CSR 20-11.105	Clean Water Commission (<i>Changed to 10 CSR 26-3.105</i>)		36 MoReg 1297		
10 CSR 20-11.106	Clean Water Commission (<i>Changed to 10 CSR 26-3.106</i>)		36 MoReg 1298		
10 CSR 20-11.107	Clean Water Commission (<i>Changed to 10 CSR 26-3.107</i>)		36 MoReg 1298		
10 CSR 20-11.108	Clean Water Commission (<i>Changed to 10 CSR 26-3.108</i>)		36 MoReg 1301		
10 CSR 20-11.109	Clean Water Commission (<i>Changed to 10 CSR 26-3.109</i>)		36 MoReg 1303		
10 CSR 20-11.110	Clean Water Commission (<i>Changed to 10 CSR 26-3.110</i>)		36 MoReg 1303		
10 CSR 20-11.111	Clean Water Commission (<i>Changed to 10 CSR 26-3.111</i>)		36 MoReg 1304		
10 CSR 20-11.112	Clean Water Commission (<i>Changed to 10 CSR 26-3.112</i>)		36 MoReg 1304		
10 CSR 20-11.113	Clean Water Commission (<i>Changed to 10 CSR 26-3.113</i>)		36 MoReg 1308		
10 CSR 20-11.114	Clean Water Commission (<i>Changed to 10 CSR 26-3.114</i>)		36 MoReg 1311		
10 CSR 20-11.115	Clean Water Commission (<i>Changed to 10 CSR 26-3.115</i>)		36 MoReg 1318		
10 CSR 20-13.080	Clean Water Commission (<i>Changed to 10 CSR 26-4.080</i>)		36 MoReg 1320		
10 CSR 20-15.010	Clean Water Commission (<i>Changed to 10 CSR 26-5.010</i>)		36 MoReg 1320		
10 CSR 20-15.020	Clean Water Commission (<i>Changed to 10 CSR 26-5.020</i>)		36 MoReg 1321		
10 CSR 20-15.030	Clean Water Commission (<i>Changed to 10 CSR 26-5.030</i>)		36 MoReg 1321		
10 CSR 23-4.010	Division of Geology and Land Survey		36 MoReg 118	This Issue	
10 CSR 23-4.020	Division of Geology and Land Survey		36 MoReg 119	This Issue	
10 CSR 23-4.030	Division of Geology and Land Survey		36 MoReg 120	This Issue	
10 CSR 23-4.040	Division of Geology and Land Survey		36 MoReg 120R	This IssueR	
10 CSR 23-4.050	Division of Geology and Land Survey		36 MoReg 121	This Issue	
10 CSR 23-4.060	Division of Geology and Land Survey		36 MoReg 121	This Issue	
10 CSR 23-4.070	Division of Geology and Land Survey		36 MoReg 126R	This IssueR	
10 CSR 23-4.080	Division of Geology and Land Survey		36 MoReg 126	This Issue	
10 CSR 25-3.260	Hazardous Waste Management Commission		36 MoReg 1322		
10 CSR 25-4.261	Hazardous Waste Management Commission		36 MoReg 1322		
10 CSR 25-5.262	Hazardous Waste Management Commission		36 MoReg 1324		
10 CSR 25-6.263	Hazardous Waste Management Commission		36 MoReg 1325		
10 CSR 25-7.264	Hazardous Waste Management Commission		36 MoReg 1326		
10 CSR 25-7.265	Hazardous Waste Management Commission		36 MoReg 1328		
10 CSR 25-7.266	Hazardous Waste Management Commission		36 MoReg 1329		
10 CSR 25-7.268	Hazardous Waste Management Commission		36 MoReg 1330		
10 CSR 25-7.270	Hazardous Waste Management Commission		36 MoReg 1330		
10 CSR 25-8.124	Hazardous Waste Management Commission		36 MoReg 1331		
10 CSR 25-11.279	Hazardous Waste Management Commission		36 MoReg 1339		
10 CSR 25-13.010	Hazardous Waste Management Commission		36 MoReg 1341		
10 CSR 25-16.273	Hazardous Waste Management Commission		36 MoReg 1342		
10 CSR 26-1.010	Petroleum and Hazardous Substance Storage Tanks		36 MoReg 1344		
10 CSR 26-2.010	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.010</i>)		36 MoReg 1222		
10 CSR 26-2.011	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.011</i>)		36 MoReg 1227		
10 CSR 26-2.012	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.012</i>)		36 MoReg 1227		
10 CSR 26-2.019	Petroleum and Hazardous Substance Storage Tanks		36 MoReg 1344		
10 CSR 26-2.020	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.020</i>)		36 MoReg 1228		
10 CSR 26-2.021	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.021</i>)		36 MoReg 1236		
10 CSR 26-2.022	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.022</i>)		36 MoReg 1240		
10 CSR 26-2.030	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.030</i>)		36 MoReg 1241		
10 CSR 26-2.031	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.031</i>)		36 MoReg 1241		

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10 CSR 26-2.032	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.032</i>)		36 MoReg 1242		
10 CSR 26-2.033	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.033</i>)		36 MoReg 1243		
10 CSR 26-2.034	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.034</i>)		36 MoReg 1249		
10 CSR 26-2.040	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.040</i>)		36 MoReg 1250		
10 CSR 26-2.041	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.041</i>)		36 MoReg 1251		
10 CSR 26-2.042	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.042</i>)		36 MoReg 1255		
10 CSR 26-2.043	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.043</i>)		36 MoReg 1255		
10 CSR 26-2.044	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.044</i>)		36 MoReg 1258		
10 CSR 26-2.045	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.045</i>)		36 MoReg 1258		
10 CSR 26-2.050	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.050</i>)		36 MoReg 1259		
10 CSR 26-2.051	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.051</i>)		36 MoReg 1259		
10 CSR 26-2.052	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.052</i>)		36 MoReg 1260		
10 CSR 26-2.053	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.053</i>)		36 MoReg 1260		
10 CSR 26-2.060	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.070</i>)		36 MoReg 1265		
10 CSR 26-2.061	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.071</i>)		36 MoReg 1272		
10 CSR 26-2.062	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.072</i>)		36 MoReg 1273		
10 CSR 26-2.063	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.073</i>)		36 MoReg 1273		
10 CSR 26-2.064	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.074</i>)		36 MoReg 1274		
10 CSR 26-2.070	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.060</i>)		36 MoReg 1261		
10 CSR 26-2.071	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.061</i>)		36 MoReg 1261		
10 CSR 26-2.072	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.062</i>)		36 MoReg 1262		
10 CSR 26-2.074	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.063</i>)		36 MoReg 1262		
10 CSR 26-2.075	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.064</i>)		36 MoReg 1263		
10 CSR 26-2.078	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.065</i>)		36 MoReg 1263		
10 CSR 26-2.080	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.068</i>)		36 MoReg 1265		
10 CSR 26-2.082	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.066</i>)		36 MoReg 1264		
10 CSR 26-2.083	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-10.067</i>)		36 MoReg 1264		
10 CSR 26-3.090	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.090</i>)		36 MoReg 1274		
10 CSR 26-3.092	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.092</i>)		36 MoReg 1275		
10 CSR 26-3.093	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.093</i>)		36 MoReg 1276		
10 CSR 26-3.094	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.094</i>)		36 MoReg 1276		
10 CSR 26-3.095	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.095</i>)		36 MoReg 1279		
10 CSR 26-3.096	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.096</i>)		36 MoReg 1280		
10 CSR 26-3.097	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.097</i>)		36 MoReg 1283		
10 CSR 26-3.098	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.098</i>)		36 MoReg 1286		
10 CSR 26-3.099	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.099</i>)		36 MoReg 1289		
10 CSR 26-3.101	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.101</i>)		36 MoReg 1291		
10 CSR 26-3.102	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.102</i>)		36 MoReg 1291		
10 CSR 26-3.103	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.103</i>)		36 MoReg 1292		
10 CSR 26-3.104	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.104</i>)		36 MoReg 1297		

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10 CSR 26-3.105	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.105</i>)		36 MoReg 1297		
10 CSR 26-3.106	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.106</i>)		36 MoReg 1298		
10 CSR 26-3.107	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.107</i>)		36 MoReg 1298		
10 CSR 26-3.108	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.108</i>)		36 MoReg 1301		
10 CSR 26-3.109	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.109</i>)		36 MoReg 1303		
10 CSR 26-3.110	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.110</i>)		36 MoReg 1303		
10 CSR 26-3.111	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.111</i>)		36 MoReg 1304		
10 CSR 26-3.112	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.112</i>)		36 MoReg 1304		
10 CSR 26-3.113	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.113</i>)		36 MoReg 1308		
10 CSR 26-3.114	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.114</i>)		36 MoReg 1311		
10 CSR 26-3.115	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-11.115</i>)		36 MoReg 1318		
10 CSR 26-4.080	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-13.080</i>)		36 MoReg 1320		
10 CSR 26-5.010	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-15.010</i>)		36 MoReg 1320		
10 CSR 26-5.020	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-15.020</i>)		36 MoReg 1321		
10 CSR 26-5.030	Petroleum and Hazardous Substance Storage Tanks (<i>Changed from 10 CSR 20-15.030</i>)		36 MoReg 1321		
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-11	Adjutant General				36 MoReg 1196 This Issue
11 CSR 45-4.020	Missouri Gaming Commission		36 MoReg 1175		
11 CSR 45-4.030	Missouri Gaming Commission		36 MoReg 988		
11 CSR 45-4.200	Missouri Gaming Commission		36 MoReg 1175		
11 CSR 45-4.500	Missouri Gaming Commission (<i>Changed to 11 CSR 45-5.400</i>)		36 MoReg 1176		
11 CSR 45-4.510	Missouri Gaming Commission		36 MoReg 1176R		
11 CSR 45-4.520	Missouri Gaming Commission		36 MoReg 1176R		
11 CSR 45-4.530	Missouri Gaming Commission (<i>Changed to 11 CSR 45-5.410</i>)		36 MoReg 1177		
11 CSR 45-4.540	Missouri Gaming Commission (<i>Changed to 11 CSR 45-5.420</i>)		36 MoReg 1177		
11 CSR 45-5.130	Missouri Gaming Commission		35 MoReg 1780	36 MoReg 1187	
11 CSR 45-5.192	Missouri Gaming Commission		36 MoReg 1178		
11 CSR 45-5.400	Missouri Gaming Commission (<i>Changed from 11 CSR 45-4.500</i>)		36 MoReg 1176		
11 CSR 45-5.410	Missouri Gaming Commission (<i>Changed from 11 CSR 45-4.530</i>)		36 MoReg 1177		
11 CSR 45-5.420	Missouri Gaming Commission (<i>Changed from 11 CSR 45-4.540</i>)		36 MoReg 1177		
11 CSR 45-7.070	Missouri Gaming Commission		35 MoReg 1780	36 MoReg 1187	
11 CSR 45-9.102	Missouri Gaming Commission		35 MoReg 1781	36 MoReg 1187	
11 CSR 45-9.105	Missouri Gaming Commission		35 MoReg 1781	36 MoReg 1188	
11 CSR 45-9.119	Missouri Gaming Commission		35 MoReg 1781	36 MoReg 1188	
11 CSR 45-9.121	Missouri Gaming Commission		35 MoReg 1787	36 MoReg 1189	
11 CSR 45-9.122	Missouri Gaming Commission		35 MoReg 1787	36 MoReg 1192	
11 CSR 45-10.020	Missouri Gaming Commission		36 MoReg 988		
11 CSR 45-12.090	Missouri Gaming Commission		36 MoReg 127	This Issue	
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12 CSR 10-3.888	Director of Revenue		36 MoReg 899R	This IssueR	
12 CSR 10-23.475	Director of Revenue	36 MoReg 875	36 MoReg 899	This Issue	
12 CSR 10-41.010	Director of Revenue	35 MoReg 1735	35 MoReg 1787	36 MoReg 905	
12 CSR 30-3.010	State Tax Commission		36 MoReg 902		
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13 CSR 35-32.020	Children's Division		36 MoReg 989		
13 CSR 35-32.030	Children's Division		36 MoReg 994		
13 CSR 70-3.110	MO HealthNet Division		36 MoReg 128R	36 MoReg 1192R	
13 CSR 70-20.320	MO HealthNet Division	35 MoReg 1072	35 MoReg 1114		
13 CSR 70-97.010	MO HealthNet Division		36 MoReg 128	36 MoReg 1192	
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15 CSR 30-54.210	Secretary of State		36 MoReg 128	36 MoReg 1149	
15 CSR 40-3.010	State Auditor		36 MoReg 1178		
15 CSR 60-8.010	Attorney General		36 MoReg 230	This Issue	

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16 CSR 10-6.040	The Public School Retirement System of Missouri		36 MoReg 231	36 MoReg 1388	
16 CSR 20-2.110	Missouri Local Government Employees' Retirement System (LAGERS)		36 MoReg 1179		
16 CSR 50-2.030	The County Employees' Retirement Fund		35 MoReg 1791	36 MoReg 1192	
16 CSR 50-3.010	The County Employees' Retirement Fund		35 MoReg 1791	36 MoReg 1192	
16 CSR 50-10.010	The County Employees' Retirement Fund		36 MoReg 527	36 MoReg 1388	
16 CSR 50-10.030	The County Employees' Retirement Fund		36 MoReg 527	36 MoReg 1389	
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16 CSR 50-10.080	The County Employees' Retirement Fund		36 MoReg 528	36 MoReg 1389	
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19 CSR 30-1.015	Division of Regulation and Licensure		This Issue		
19 CSR 30-1.017	Division of Regulation and Licensure		This Issue		
19 CSR 30-1.019	Division of Regulation and Licensure		This Issue		
19 CSR 30-1.023	Division of Regulation and Licensure		This Issue		
19 CSR 30-1.066	Division of Regulation and Licensure		This Issue		
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19 CSR 30-61.105	Division of Regulation and Licensure		36 MoReg 902		
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19 CSR 30-61.175	Division of Regulation and Licensure		36 MoReg 903		
19 CSR 30-62.090	Division of Regulation and Licensure		This Issue		
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19 CSR 30-62.122	Division of Regulation and Licensure		This Issue		
19 CSR 30-62.182	Division of Regulation and Licensure		36 MoReg 904		
19 CSR 60-50	Missouri Health Facilities Review Committee				36 MoReg 1012 36 MoReg 1200 36 MoReg 1405 This Issue
19 CSR 60-50.200	Missouri Health Facilities Review Committee		35 MoReg 1562	36 MoReg 998	
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19 CSR 60-50.430	Missouri Health Facilities Review Committee		35 MoReg 1566	36 MoReg 1000	
19 CSR 60-50.440	Missouri Health Facilities Review Committee		35 MoReg 1569	36 MoReg 1000	
19 CSR 60-50.450	Missouri Health Facilities Review Committee		35 MoReg 1569	36 MoReg 1000	
19 CSR 60-50.470	Missouri Health Facilities Review Committee		35 MoReg 1571	36 MoReg 1001	
19 CSR 60-50.500	Missouri Health Facilities Review Committee		35 MoReg 1571	36 MoReg 1001	
19 CSR 60-50.600	Missouri Health Facilities Review Committee		35 MoReg 1572	36 MoReg 1001	
19 CSR 60-50.700	Missouri Health Facilities Review Committee		35 MoReg 1572	36 MoReg 1001	
19 CSR 60-50.800	Missouri Health Facilities Review Committee		35 MoReg 1573	36 MoReg 1001	
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20 CSR	Construction Claims Binding Arbitration Cap				33 MoReg 2446 35 MoReg 654 36 MoReg 192
20 CSR	Medical Malpractice				31 MoReg 616 32 MoReg 545
20 CSR	Sovereign Immunity Limits				33 MoReg 2446 35 MoReg 318
20 CSR	State Legal Expense Fund Cap				33 MoReg 2446 35 MoReg 654 36 MoReg 192
20 CSR 100-1.060	Insurer Conduct		36 MoReg 1345R		
20 CSR 200-1.005	Insurance Solvency and Company Regulation		36 MoReg 931		
20 CSR 200-1.030	Insurance Solvency and Company Regulation		36 MoReg 931		
20 CSR 200-1.160	Insurance Solvency and Company Regulation		36 MoReg 932		
20 CSR 400-1.170	Life, Annuities and Health		36 MoReg 933		
20 CSR 400-8.200	Life, Annuities and Health		36 MoReg 934		
20 CSR 2015-1.030	Acupuncturist Advisory Committee	36 MoReg 1173	36 MoReg 1179		
20 CSR 2063-1.005	Behavior Analyst Advisory Board		36 MoReg 129	36 MoReg 1149	
20 CSR 2063-1.010	Behavior Analyst Advisory Board	36 MoReg 5	36 MoReg 132	36 MoReg 1149	
20 CSR 2063-1.015	Behavior Analyst Advisory Board	36 MoReg 6	36 MoReg 135	36 MoReg 1149	
20 CSR 2063-1.020	Behavior Analyst Advisory Board		36 MoReg 140	36 MoReg 1149	
20 CSR 2063-2.005	Behavior Analyst Advisory Board	36 MoReg 7	36 MoReg 143	36 MoReg 1149	
20 CSR 2063-2.010	Behavior Analyst Advisory Board		36 MoReg 148	36 MoReg 1150	
20 CSR 2063-2.015	Behavior Analyst Advisory Board	36 MoReg 8	36 MoReg 153	36 MoReg 1150	
20 CSR 2063-3.005	Behavior Analyst Advisory Board	36 MoReg 9	36 MoReg 156	36 MoReg 1150	
20 CSR 2063-4.005	Behavior Analyst Advisory Board	36 MoReg 10	36 MoReg 159	36 MoReg 1150	
20 CSR 2063-4.010	Behavior Analyst Advisory Board		36 MoReg 162	36 MoReg 1150	
20 CSR 2063-5.005	Behavior Analyst Advisory Board	36 MoReg 11	36 MoReg 167	36 MoReg 1151	
20 CSR 2070-2.090	State Board of Chiropractic Examiners	35 MoReg 1609			
20 CSR 2095-1.020	Committee for Professional Counselors	36 MoReg 1173	36 MoReg 1182		
20 CSR 2150-2.080	State Board of Registration for the Healing Arts	36 MoReg 13	36 MoReg 173	36 MoReg 1151	
20 CSR 2150-7.010	State Board of Registration for the Healing Arts		35 MoReg 1791	36 MoReg 1192	

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20 CSR 2150-7.100	State Board of Registration for the Healing Arts		35 MoReg 1792	36 MoReg 1193	
20 CSR 2150-7.125	State Board of Registration for the Healing Arts		35 MoReg 1792	36 MoReg 1193	
20 CSR 2150-7.130	State Board of Registration for the Healing Arts		35 MoReg 1793	36 MoReg 1193	
20 CSR 2150-7.135	State Board of Registration for the Healing Arts		35 MoReg 1796	36 MoReg 1193	
20 CSR 2150-7.136	State Board of Registration for the Healing Arts		35 MoReg 1798	36 MoReg 1194	
20 CSR 2150-7.137	State Board of Registration for the Healing Arts		35 MoReg 1798	36 MoReg 1194	
20 CSR 2150-7.200	State Board of Registration for the Healing Arts		35 MoReg 1798	36 MoReg 1194	
20 CSR 2200-4.010	State Board of Nursing	36 MoReg 703	36 MoReg 831	36 MoReg 1389	
20 CSR 2220-2.005	State Board of Pharmacy	35 MoReg 1451	35 MoReg 1485 36 MoReg 1070		
20 CSR 2234-1.050	Board of Private Investigator Examiners		35 MoReg 1690	36 MoReg 1001	
20 CSR 2267-2.020	Office of Tattooing, Body Piercing, and Branding		35 MoReg 1849	36 MoReg 1151	
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22 CSR 10-2.010	Health Care Plan	36 MoReg 349 36 MoReg 963T 36 MoReg 963	36 MoReg 528	36 MoReg 1389	
22 CSR 10-2.020	Health Care Plan	36 MoReg 356	36 MoReg 536	36 MoReg 1390	
22 CSR 10-2.045	Health Care Plan	36 MoReg 361	36 MoReg 543	36 MoReg 1392	
22 CSR 10-2.050	Health Care Plan	36 MoReg 363R	36 MoReg 544R	36 MoReg 1392R	
22 CSR 10-2.051	Health Care Plan	36 MoReg 363	36 MoReg 544	36 MoReg 1392	
22 CSR 10-2.052	Health Care Plan	36 MoReg 364	36 MoReg 549	36 MoReg 1392	
22 CSR 10-2.053	Health Care Plan	36 MoReg 365	36 MoReg 553	36 MoReg 1392	
22 CSR 10-2.054	Health Care Plan	36 MoReg 366	36 MoReg 557	36 MoReg 1393	
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22 CSR 10-2.064	Health Care Plan	36 MoReg 384R	36 MoReg 582R	36 MoReg 1395R	
22 CSR 10-2.075	Health Care Plan	36 MoReg 384 36 MoReg 387T 36 MoReg 387	36 MoReg 582	36 MoReg 1395	
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22 CSR 10-2.092	Health Care Plan	36 MoReg 394	36 MoReg 593	36 MoReg 1397	
22 CSR 10-2.093	Health Care Plan	36 MoReg 395	36 MoReg 597	36 MoReg 1397	
22 CSR 10-3.010	Health Care Plan	36 MoReg 400 36 MoReg 971T 36 MoReg 971	36 MoReg 604	36 MoReg 1398	
22 CSR 10-3.045	Health Care Plan	36 MoReg 408	36 MoReg 611	36 MoReg 1399	
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22 CSR 10-3.051	Health Care Plan	36 MoReg 409R	36 MoReg 613R	36 MoReg 1399R	
22 CSR 10-3.052	Health Care Plan	36 MoReg 410R	36 MoReg 613R	36 MoReg 1399R	
22 CSR 10-3.053	Health Care Plan	36 MoReg 410	36 MoReg 613	36 MoReg 1399	
22 CSR 10-3.054	Health Care Plan	36 MoReg 411	36 MoReg 618	36 MoReg 1399	
22 CSR 10-3.055	Health Care Plan	36 MoReg 412	36 MoReg 622	36 MoReg 1400	
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22 CSR 10-3.057	Health Care Plan	36 MoReg 413	36 MoReg 631	36 MoReg 1400	
22 CSR 10-3.060	Health Care Plan	36 MoReg 428	36 MoReg 648	36 MoReg 1402	
22 CSR 10-3.075	Health Care Plan	36 MoReg 431 36 MoReg 433T 36 MoReg 434	36 MoReg 652	36 MoReg 1402	
22 CSR 10-3.090	Health Care Plan	36 MoReg 437	36 MoReg 657	36 MoReg 1404	
22 CSR 10-3.092	Health Care Plan	36 MoReg 439	36 MoReg 661	36 MoReg 1404	
22 CSR 10-3.093	Health Care Plan	36 MoReg 441	36 MoReg 667	36 MoReg 1404	

Agency	Publication	Effective	Expiration
Office of Administration			
Commissioner of Administration			
1 CSR 10-15.010 Cafeteria Plan	.36 MoReg 273	Jan. 1, 2011	June 29, 2011
Department of Agriculture			
Animal Health			
2 CSR 30-9.020 Animal Care Facility Rules Governing Licensing, Fees Reports, Record Keeping, Veterinary Care, Identification and Holding Period	.36 MoReg 217	Dec. 17, 2010	June 14, 2011
Department of Natural Resources			
Air Conservation Commission			
10 CSR 10-6.060 Construction Permits Required	.36 MoReg 218	Jan. 3, 2011	July 1, 2011
10 CSR 10-6.065 Operating Permits	.36 MoReg 219	Jan. 3, 2011	July 1, 2011
Department of Revenue			
Director of Revenue			
12 CSR 10-23.475 Fees and Required Documentation for Designating Manufactured Homes as Real Estate or Personal Property	.36 MoReg 875	March 1, 2011	Aug. 27, 2011
12 CSR 10-41.010 Annual Adjusted Rate of Interest	.35 MoReg 1735	Jan. 1, 2011	June 29, 2011
Department of Social Services			
MO HealthNet Division			
13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	July 1, 2011 issue	June 1, 2011	Nov. 28, 2011
13 CSR 70-15.220 Disproportionate Share Hospital Payments	July 1, 2011 issue	June 1, 2011	Nov. 28, 2011
13 CSR 70-15.230 Supplemental Upper Payment Limit Methodology	July 1, 2011 issue	June 1, 2011	Nov. 28, 2011
Department of Health and Senior Services			
Missouri Board of Nursing Home Administrators			
19 CSR 73-2.010 Definitions	Next Issue	May 15, 2011	Feb. 23, 2012
19 CSR 73-2.020 Procedures and Requirements for Licensure of Nursing Home Administrators	Next Issue	May 15, 2011	Feb. 23, 2012
19 CSR 73-2.022 Procedures and Requirements for Licensure of Residential Care and Assisted Living Administrators	Next Issue	May 15, 2011	Feb. 23, 2012
19 CSR 73-2.025 Licensure by Reciprocity	Next Issue	May 15, 2011	Feb. 23, 2012
19 CSR 73-2.070 Examination	Next Issue	May 15, 2011	Feb. 23, 2012
Department of Insurance, Financial Institutions and Professional Registration			
Acupuncturist Advisory Committee			
20 CSR 2015-1.030 Fees	.36 MoReg 1173	April 11, 2011	Jan. 18, 2012
Behavior Analyst Advisory Board			
20 CSR 2063-1.010 Definitions	.36 MoReg 5	Dec. 10, 2010	June 7, 2011
20 CSR 2063-1.015 Fees	.36 MoReg 6	Dec. 10, 2010	June 7, 2011
20 CSR 2063-2.005 Application for Licensure	.36 MoReg 7	Dec. 10, 2010	June 7, 2011
20 CSR 2063-2.015 Notification of Change of Address	.36 MoReg 8	Dec. 10, 2010	June 7, 2011
20 CSR 2063-3.005 Certifying Entities	.36 MoReg 9	Dec. 10, 2010	June 7, 2011
20 CSR 2063-4.005 Education and Training Requirements	.36 MoReg 10	Dec. 10, 2010	June 7, 2011
20 CSR 2063-5.005 Supervision of Assistant Behavior Analysts	.36 MoReg 11	Dec. 10, 2010	June 7, 2011
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20 CSR 2095-1.020 Fees	.36 MoReg 1173	April 11, 2011	Jan. 18, 2012
State Board of Nursing			
20 CSR 2200-4.010 Fees	.36 MoReg 703	Jan. 14, 2011	July 12, 2011
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.010 Definitions	.36 MoReg 963	March 7, 2011	June 29, 2011
22 CSR 10-2.020 General Membership Provisions	.36 MoReg 356	Jan. 1, 2011	June 29, 2011
22 CSR 10-2.045 Plan Utilization Review Policy	.36 MoReg 361	Jan. 1, 2011	June 29, 2011
22 CSR 10-2.050 Copay Plan Benefit Provisions and Covered Charges	.36 MoReg 362	Jan. 1, 2011	June 29, 2011
22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges	.36 MoReg 363	Jan. 1, 2011	June 29, 2011

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22 CSR 10-2.052	PPO 600 Plan Benefit Provisions and Covered Charges . . .36 MoReg 364 Jan. 1, 2011 June 29, 2011
22 CSR 10-2.053	High Deductible Health Plan Benefit Provisions and Covered Charges36 MoReg 365	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.054	Medicare Supplement Plan Benefit Provisions and Covered Charges36 MoReg 366	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.055	Medical Plan Benefit Provisions and Covered Charges . . .36 MoReg 366	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.060	PPO 300 Plan, PPO 600 Plan, and HDHP Limitations . . .36 MoReg 381	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.064	HMO Summary of Medical Benefits36 MoReg 384	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.075	Review and Appeals Procedure36 MoReg 387	. . . . Jan. 20, 2011	. . . . June 29, 2011
22 CSR 10-2.090	Pharmacy Benefit Summary36 MoReg 391	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.091	Wellness Program Coverage, Provisions and Limitations . .36 MoReg 392	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.092	Dental Benefit Summary36 MoReg 394	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-2.093	Vision Benefit Summary36 MoReg 395	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.010	Definitions36 MoReg 971	. . . . March 7, 2011	. . . . June 29, 2011
22 CSR 10-3.045	Plan Utilization Review Policy36 MoReg 408	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.050	Copay Plan Benefit Provisions and Covered Charges36 MoReg 409	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.051	PPO 300 Plan Benefit Provisions and Covered Charges . . .36 MoReg 409	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.052	PPO 500 Plan Benefit Provisions and Covered Charges . . .36 MoReg 410	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.053	PPO 1000 Plan Benefit Provisions and Covered Charges . .36 MoReg 410	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.054	PPO 2000 Plan Benefit Provisions and Covered Charges . .36 MoReg 411	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.055	High Deductible Health Plan Benefit Provisions and Covered Charges36 MoReg 412	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.056	PPO 600 Plan Benefit Provisions and Covered Charges . . .36 MoReg 412	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.057	Medical Plan Benefit Provisions and Covered Charges . . .36 MoReg 413	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.060	PPO 600 Plan, PPO 1000 Plan, PPO 2000 Plan, and HDHP Plan Limitations36 MoReg 428	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.075	Review and Appeals Procedure36 MoReg 434	. . . . Jan. 20, 2011	. . . . June 29, 2011
22 CSR 10-3.090	Pharmacy Benefit Summary36 MoReg 437	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.092	Dental Benefit Summary36 MoReg 439	. . . . Jan. 1, 2011	. . . . June 29, 2011
22 CSR 10-3.093	Vision Benefit Summary36 MoReg 441 Jan. 1, 2011 June 29, 2011

**Executive
Orders****Subject Matter****Filed Date****Publication****2011**

11-08	Activates the state militia in response to severe weather that began on April 22	April 25, 2011	This Issue
11-07	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on April 22	April 25, 2011	This Issue
11-06	Declares a state of emergency for the state of Missouri and activates the Missouri State Emergency Operations Plan due to severe weather that began on April 22	April 22, 2011	This Issue
11-05	Orders the Missouri Department of Transportation to assist local jurisdictions in counties that: 1) received record snowfalls; and 2) continuing snow clearance exceeds their capabilities	Feb. 4, 2011	36 MoReg 883
11-04	Activates the state militia in response to severe weather that began on January 31, 2011	Jan. 31, 2011	36 MoReg 881
11-03	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	Jan. 31, 2011	36 MoReg 879
11-02	Extends the declaration of emergency contained in Executive Order 10-27 and the terms of Executive Order 11-01 through February 28, 2011	Jan. 28, 2011	36 MoReg 877
11-01	Gives the Director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe winter weather that began on December 30	Jan. 4, 2011	36 MoReg 705

2010

10-27	Declares a state of emergency and directs the Missouri State Emergency Operations Plan be activated due to severe weather that began on December 30	Dec. 31, 2010	36 MoReg 446
Emergency Declaration	Proclaims an emergency declaration concerning the damage and structural integrity of the State Route A bridge over the Weldon Fork of the Thompson River	Sept. 28, 2010	35 MoReg 1531
10-26	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Sept. 24, 2010	35 MoReg 1529
10-25	Extends the declaration of emergency contained in Executive Order 10-22 for the purpose of protecting the safety and welfare of our fellow Missourians	July 20, 2010	35 MoReg 1244
10-24	Creates the Code of Fair Practices for the Executive Branch of State Government and supersedes paragraph one of Executive Order 05-30	July 9, 2010	35 MoReg 1167
Emergency Declaration	Proclaims that an emergency exists concerning the damage and structural integrity of the U.S. Route 24 bridge over the Grand River	July 2, 2010	35 MoReg 1165
10-23	Activates the state militia in response to severe weather that began on June 12	June 23, 2010	35 MoReg 1078
10-22	Declares a state of emergency and directs the Missouri State Emergency Operations Plan be activated due to severe weather that began on June 12	June 21, 2010	35 MoReg 1076
10-21	Activates the Missouri State Emergency Operations Center	June 15, 2010	35 MoReg 1018
10-20	Establishes the Missouri Civil War Sesquicentennial Commission	April 2, 2010	35 MoReg 754
10-19	Amends Executive Order 09-17 to give the commissioner of the Office of Administration supervisory authority over the Transform Missouri Project	March 2, 2010	35 MoReg 637
10-18	Establishes the Children in Nature Challenge to challenge Missouri communities to take action to enhance children's education about nature, and to increase children's opportunities to personally experience nature and the outdoors	Feb. 26, 2010	35 MoReg 573
10-17	Establishes a Missouri Emancipation Day Commission to promote, consider, and recommend appropriate activities for the annual recognition and celebration of Emancipation Day	Feb. 2, 2010	35 MoReg 525
10-16	Transfers the scholarship portion of the A+ Schools Program from the Missouri Department of Elementary and Secondary Education to the Missouri Department of Higher Education	Jan. 29, 2010	35 MoReg 447
10-15	Transfers the Breath Alcohol Program from the Missouri Department of Transportation to the Missouri Department of Health and Senior Services	Jan. 29, 2010	35 MoReg 445
10-14	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 29, 2010	35 MoReg 443
10-13	Directs the Department of Social Services to disband the Missouri Task Force on Youth Aging Out of Foster Care	Jan. 15, 2010	35 MoReg 364
10-12	Rescinds Executive Orders 98-14, 95-21, 95-17, and 94-19 and terminates the Governor's Commission on Driving While Intoxicated and Impaired Driving	Jan. 15, 2010	35 MoReg 363

**Executive
Orders**

	Subject Matter	Filed Date	Publication
10-11	Rescinds Executive Order 05-41 and terminates the Governor's Advisory Council for Veterans Affairs and assigns its duties to the Missouri Veterans Commission	Jan. 15, 2010	35 MoReg 362
10-10	Rescinds Executive Order 01-08 and terminates the Personal Independence Commission and assigns its duties to the Governor's Council on Disability	Jan. 15, 2010	35 MoReg 361
10-09	Rescinds Executive Orders 95-10, 96-11, and 98-13 and terminates the Governor's Council on AIDS and transfers their duties to the Statewide HIV/STD Prevention Community Planning Group within the Department of Health and Senior Services	Jan. 15, 2010	35 MoReg 360
10-08	Rescinds Executive Order 04-07 and terminates the Missouri Commission on Patient Safety	Jan. 15, 2010	35 MoReg 358
10-07	Rescinds Executive Order 01-16 and terminates the Missouri Commission on Intergovernmental Cooperation	Jan. 15, 2010	35 MoReg 357
10-06	Rescinds Executive Order 05-13 and terminates the Governor's Advisory Council on Plant Biotechnology and assigns its duties to the Missouri Technology Corporation	Jan. 15, 2010	35 MoReg 356
10-05	Rescinds Executive Order 95-28 and terminates the Missouri Board of Geographic Names	Jan. 15, 2010	35 MoReg 355
10-04	Rescinds Executive Order 03-10 and terminates the Missouri Energy Policy Council	Jan. 15, 2010	35 MoReg 354
10-03	Rescinds Executive Order 03-01 and terminates the Missouri Lewis and Clark Bicentennial Commission	Jan. 15, 2010	35 MoReg 353
10-02	Rescinds Executive Order 07-29 and terminates the Governor's Advisory Council on Aging and assigns its duties to the State Board of Senior Services	Jan. 15, 2010	35 MoReg 352
10-01	Rescinds Executive Order 01-15 and terminates the Missouri Commission on Total Compensation	Jan. 15, 2010	35 MoReg 351

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ACUPUNCTURIST ADVISORY COMMITTEE

Fees; 20 CSR 2015-1.030; 5/2/11

ADMINISTRATION, OFFICE OF

Commissioner of Administration

cafeteria plan; 1 CSR 10-15.010; 2/1/11, 6/1/11

ADJUTANT GENERAL

FEMA notice of intent to reimburse state and local governments and agencies for eligible costs incurred to repair or replace facilities damaged by severe winter and snow storms; 11 CSR 10-11; 5/2/11

FEMA notice of intent to reimburse eligible applicants for eligible costs to repair and/or replace facilities damaged by severe storms, tornadoes, and flooding occurring from April 19, 2011, and continuing; 11 CSR 10-11; 6/1/11

AGRICULTURE

animal health

animal care facility rules governing licensing, fees, reports, record keeping, veterinary care, identification, and holding period; 2 CSR 30-9.020; 1/18/11

duties and facilities of the market/sale veterinarian; 2 CSR 30-6.020; 2/1/11

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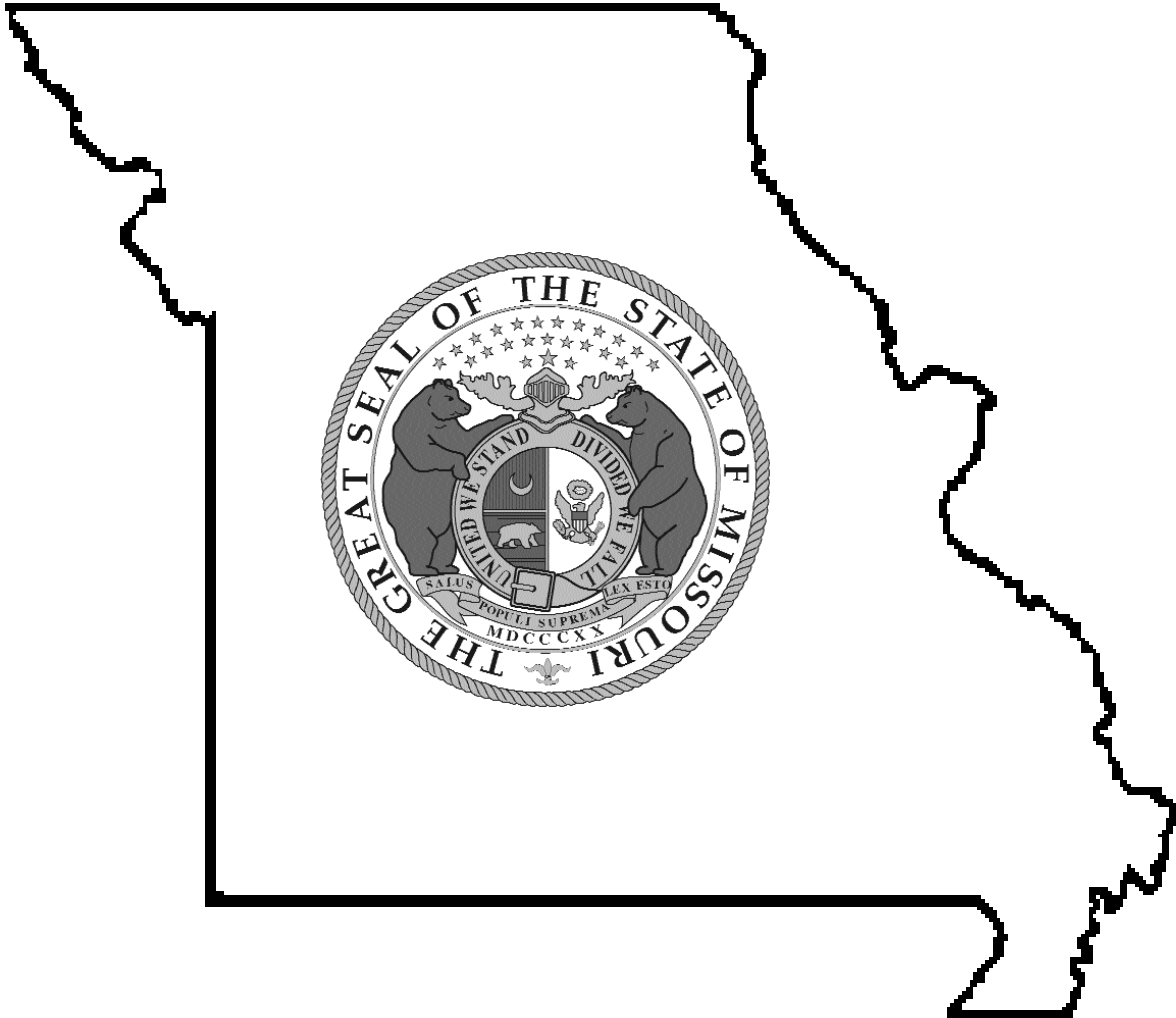
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